

come, nor height, nor depth, nor any other creature, shall be able to separate us from the love of God, which is in Christ Jesus our Lord.

Rock of ages, cleft for me,
Let me hide myself in Thee;
Let the water and the blood,
From Thy side, a healing flood,
Be of sin the double cure,
Save from wrath, and make me pure.

Should my tears forever flow,
Should my zeal no languor know,
All for sin could not atone,
Thou must save, and Thou alone;
In my hand no price I bring,
Simply to Thy cross I cling.

While I draw this fleeting breath,
When mine eyelids close in death,
When I rise to worlds unknown,
And behold Thee on Thy throne.
Rock of ages, cleft for me,
Let me hide myself in Thee.

Amen.

Our Father, who art in Heaven, hallowed be Thy name; Thy kingdom come; Thy will be done on earth, as it is in Heaven; give us this day our daily bread, and forgive us our trespasses, as we forgive those who trespass against us; and lead us not into temptation, but deliver us from evil. For Thine is the kingdom, the power, and the glory, forever and ever. Amen.

O Merciful God, and Heavenly Father, who hast taught us in Thy holy Word that Thou dost not willingly afflict or grieve the children of men; look with pity, we beseech Thee, upon the sorrows of these Thy servants for whom especially our prayers are offered. Remember them, O Lord, in mercy; endue their souls with patience under this their great affliction and with resignation to Thy blessed will. Comfort them with the sense of Thy goodness. Lift up Thy countenance upon them and give them peace. Through Jesus Christ our Lord. Amen.

O Almighty God, who hast knit together Thine elect in one communion and fellowship, in the mystical body of Thy Son, Christ our Lord; grant us grace so to follow Thy blessed saints in all virtuous and godly living, that we may come to those unspeakable joys which Thou hast prepared for those who unfeignedly love Thee; through Jesus Christ our Lord. Amen.

O Lord Jesus Christ, grant unto us Thy servants so to follow in faith where Thou hast led the way that we may at length fall asleep peacefully in Thee and awake after Thy likeness through Thy mercy, who liveth with the Father and the Holy Ghost, ever one God, world without end. Amen.

Almighty God, with whom do live the spirits of those who depart hence in the Lord, and with whom the souls of the faithful, after they are delivered from the burden of the flesh, are in joy and felicity, we give Thee hearty thanks for the noble example of this Thy servant, who having finished his course in faith now rests from his labors. And we beseech Thee that we, with all those who are departed in the true faith of Thy holy name, may have our perfect consummation and bliss in Thy eternal and everlasting glory. Through Jesus Christ our Lord.

O God, the God of the spirits of all flesh, in whose embrace all creatures live in whatsoever world or condition they be, we beseech Thee for him whose name and dwelling place and every need Thou only knowest. Lord, vouchsafe him light and rest, peace and refreshment, joy and consolation in paradise, in the companionship of saints, in the presence of Christ, in the ample folds of Thy great love. Grant that his life may unfold itself in Thy sight and find sweet employment in the spacious fields of eternity.

If in aught we can minister to his peace, be pleased of Thy love to let this be. And so keep us from every act which may deprive us of the sight of him as soon as our trial time is over or mar the fullness of our joy when the end of the days hath come.

Pardon, O gracious Lord and Father, whatever is amiss in this our prayer, and let Thy will be done, for our will is

blind and erring, but Thine is able to do exceeding abundantly above all that we ask or think. Through Jesus Christ our Lord. Amen.

How beautiful it is to be alive!
To wake each morn as if the Maker's grace
Did us afresh from nothingness derive,
That we might sing, "How happy is our case!
How beautiful it is to be alive!"

To read in God's great book, until we feel
Love for the love that gave it; then to kneel
Close unto Him whose truth our souls will shrive,
While every moment's joy doth more reveal
"How beautiful it is to be alive."

Not to forget when pain and grief draw nigh,
Into the ocean of time past to dive
For memories of God's mercies, or to try
To bear all sweetly, hoping still to cry
"How beautiful it is to be alive!"

Thus ever toward man's height of nobleness.
Strive still some new progression to contrive;
Till, just as any other friend's, we press
Death's hand; and, having died, feel none the less
"How beautiful it is to be alive."

And now, Lord, support us all the day long of this troublous life until the shadows lengthen and the evening comes and the busy world is hushed and the fever of life is over and our work is done. Then, in Thy mercy, grant us a safe lodging, a holy rest, and peace at the last. Through Jesus Christ our Lord. Amen.

May the peace of God, which passeth all understanding, keep your hearts and minds in the knowledge and love of God and of His Son, Jesus Christ, our Lord; and the blessing of God Almighty, the Father, the Son, and the Holy Ghost be upon you and all who are near and dear unto you, both here and yonder, and remain with them and with you forever. Amen.

At 8 o'clock and 22 minutes p. m., the funeral ceremonies having been concluded, the family of the deceased Senator, the committee of arrangements of the two Houses, the invited guests, and the Members of the Senate retired from the Chamber, and the casket was borne to the Union Station, to be conveyed to Salisbury, N. C., accompanied by the committee of arrangements and the family of the deceased Senator.

HOUSE OF REPRESENTATIVES

FRIDAY, DECEMBER 12, 1930

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

From the foundation of the world, blessed Lord, Thou hast been the helper of man. Through victories and defeats, through tears and gladness may we walk with Thee in hope and in aspiration. May Thy spirit, with its quickening power, abide in our midst. Make us sensitive to Thy presence, and keep us away from the things that are dark and sluggish, cold and hateful, and with an irresistible attraction draw us toward Thee; thus we may achieve successfully the tasks to which our country has appointed us. Cleanse us from false pride and all vanity, from binding passions and besetting sins, and from all habits imperfectly controlled. Take out of every contest the sting of bitterness and selfishness, and may sympathetic cooperation be exercised in all the deliberations of this Congress. We pray in our Savior's name. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Craven, its principal clerk, announced that the Senate had passed with amendments, in which the concurrence of the House is requested, a bill of the House of the following title:

H. R. 14804. An act making supplemental appropriations to provide for emergency construction on certain public

works during the remainder of the fiscal year ending June 30, 1931, with a view to increasing employment.

The message also announced that the Vice President had appointed Mr. JOHNSON and Mr. FLETCHER members of the joint select committee on the part of the Senate as provided for in the act of February 16, 1889, as amended by the act of March 2, 1895, entitled "An act to authorize and provide for the disposition of useless papers in the executive departments," for the disposition of useless papers in the Department of Commerce.

LUMBER AND THE SOVIET

Mr. KORELL. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by incorporating an address which I delivered this summer in Portland, Oreg., upon the subject of Lumber and the Soviet.

The SPEAKER. The gentleman from Oregon asks unanimous consent to extend his remarks in the RECORD in the manner indicated. Is there objection?

There was no objection.

The speech is as follows:

Before commenting upon the real meaning of the soviet invasion of the United States I desire to make a brief explanatory statement relative to the condition of the lumber and closely related wood industries of the United States. These industries are ordinarily the largest industrial employers of labor in this country, but to-day they are operating at only about 60 per cent capacity. As a consequence of their let-down in production many hundreds of persons ordinarily profitably employed are now out of work. This condition is especially noticeable in the western parts of Washington and Oregon, where dozens of sawmills, large and small, have been forced to shut down. The closing of these mills is due to lack of demand for lumber occasioned by reduced building activities and curtailed industrial operations.

Notwithstanding decreased production, the lumber market is abundantly supplied with lumber of domestic manufacturers. There is an ample supply of domestic manufacture available for every purpose for which Russian lumber could or is being used. Accordingly, if the request of the American lumbermen to have the present importation of Russian lumber excluded from our ports should be granted by the Treasury Department, the lumber consumers of this country will not be inconvenienced in the slightest. Indeed, the shipments of Russian lumber that are being made into the United States at present are not due to a search on the part of the consuming public for more suitable lumber than that which is produced here, but to the zeal of the soviet officials who are attempting to dump the vast forest resources of Russia upon our markets so that they may obtain sufficient gold to carry on their much-advertised 5-year economic program.

Important as it is to us to see that the lumber interests of the great Northwest are not ruined by unfair competition and dumping of Russian goods made possible by convict or forced labor, there is even something of broader importance to us, and that is the preservation of organized society and American constitutional government.

In order to appreciate this we must examine into the motives of the leaders of the Moscow Government. They have changed their method of attack, or, rather, have added a new attack. They see that propaganda in America will not be sufficient unless the prosperity and independence of the farmer and workingman can be destroyed. That is the reason for the 5-year program of industrialization in Russia and for the great system of state-owned farms that is being built up.

What Russia proposes to do is to dump on the rest of the world raw materials from the forest, the farm, and the mine, and later manufactured products at such a price that the world markets will be flooded with Russian goods and the workers in western Europe and America be rendered idle and discontented and ripe for revolt.

The exportation of wood pulp, of anthracite, of manganese, and other raw materials into our country is but the opening wedge. The Bolsheviks in the first place took the mines and the forests from the original owners by force. They have no capital investment. They employ convicts and slave workers. I say they are slave workers because they can not help themselves. They must work for the starvation wages which the soviet tyrannical Government gives them. They have no choice. Imprisonment is the only alternative.

Yet there are people in America, financiers and alleged statesmen who object to the efforts of sound Americans to keep out this flood of convict and slave-made goods. Some of the financiers are inspired by selfish motives. Either they have been selling machinery and equipment to Soviet Russia themselves to help unwittingly in the world revolutionary program or they hope to profit by these cheap, slave-made raw materials. How shortsighted they are! Equipping Soviet Russia until it destroys American buying power is but helping to kill the goose that lays the golden egg. Why cripple or destroy the future of America for a few temporary profits? The soviet apologists answer that there is no danger. That Russia can consume herself the things she produces. But the reds in Moscow are not looking to raising the standards of their own people. They are seeking

to destroy civilization in the world as they have destroyed it in Russia. The dumping of slave and convict produced goods abroad has just started. It will continue, unless we prevent it, no matter whether the Russian peasant worker has enough to eat and wear for himself.

I think it is of the greatest importance therefore that convict goods and the goods produced by forced labor be kept from America. If you think I am prejudiced or unduly concerned as to the devilish purposes behind the Moscow Government, let me quote from a recent interview in a French newspaper by Senator Victor Dalbieg, himself a French socialist who at one time was in favor of full trade between France and Soviet Russia. Senator Dalbieg says that the dumping system is being used by Stalin "to facilitate the export of soviet products below the world price, with the object of preparing a world revolution and increasing propaganda funds for communist groups in other countries which obey Moscow's orders."

The French senator then continues that "the directors of the Soviet Union have organized a system of dumping by which they are seeking to throw on the world market foodstuffs and materials obtained by insufficiently paid workers and even by forced underpaid labor, so as to create unemployment and grave economic disasters in other countries which will be propitious to their communist propaganda. Stalin himself showed in a recent speech how much he was counting on the system to help create difficulties in capitalistic countries. His words breathe the hope that by it communism will be victorious over the rest of the world. We must set up, in the face of foreign monopoly of Russia, control exchanges which will protect our manufacturers and merchants and prohibit the importation into France of foodstuffs or merchandise of which the sale price is fixed in Russia not on the basis of cost but with the avowed political aim of ruining nations which permit this commerce, while at the same time the unfortunate Russian workers and peasants who produce it are starving."

My friends, if it is important that France take some means of shutting out this flood of Russian convict-produced commodities, how much more important is it that we do it in America with our higher and costlier standards of living. So far as I am concerned, I am unwilling that the people of the west coast, because of floods of Russian pulpwood, agricultural, and other products, be made the first victims in the effort to create economic chaos and discontent in America.

We have heard a great deal of this new Russian menace of late. The flood of Russian pulpwoods was temporarily held up, although later Assistant Secretary of the Treasury Lowman decided to admit the commodity because it could not be definitely proved that this pulp was produced by convict labor. It seems to me that in this instance, and in all other similar instances, it ought not be left to Americans to prove that convict labor was used in producing these low-priced commodities. It ought to be put up to the shippers themselves, in this instance the Soviet Government, to prove that no convict labor was used. And even then I should want the proof to be ironclad and entirely convincing.

Under the laws in force for years past it has been possible to stop the entry to America of prison-made goods or of goods dumped into the country regardless of the cost of production. Now it seems to me that in the case of Russia labor costs are never taken into consideration, because the labor is of the slave or forced variety. This in itself should prohibit them.

The new tariff law recently passed by Congress provides against the entry to the United States of goods produced by forced labor. The term, I believe, is sweeping enough to include nearly everything produced in Russia, and when this part of the bill becomes a law it ought to be enforced, especially in view of the labor costs in Russia and of the efforts of the Soviet Government to disrupt the economic fabric of the world. I feel sure that the provisions will be enforced, and, so far as I am concerned, when these provisions of the law, which were designed by farseeing men to cover this particular situation, go into effect I intend to do what I can to see that the interests of the producers of American products in Oregon are safeguarded.

It is perhaps true that there will be powerful nonpolitical influences, inspired by selfish greed, against the application of these safeguards, but I believe that these influences should be and will be unavailing. They threaten us with the loss of Russian trade. But there is something more fundamental in American life than trade and finance. There is something more fundamental to us in the preservation of the American standard of living, in the preservation of the standard of living of the average American family. There is something more fundamental, too, in the preservation of our ideals of government, of American institutions which the Moscow leaders intend to destroy. These things are all more important than the balance of trade with an outlaw government in Russia, and, so far as I am concerned, I intend to contribute my little share toward keeping them more important.

American idealism and American prosperity can not be traded off for a chimerical trade advantage which will fade into nothingness when the real purposes of the Bolshevik Government are revealed to the world.

Whenever and wherever goods are dumped into America to destroy our industries, let us stop the flood, no matter what nation is the offender.

INTERIOR DEPARTMENT APPROPRIATION BILL

Mr. CRAMTON. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill

(H. R. 14675) making appropriations for the Department of the Interior for the fiscal year ending June 30, 1932, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the Interior Department appropriation bill, with Mr. CHINDBLOM in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

For a clinical survey of tuberculosis, trachoma, and venereal and other disease conditions among Indians, \$75,000: *Provided*, That in conducting such survey the cooperation of such State and other organizations engaged in similar work shall be enlisted wherever practicable and where services of physicians, nurses, or other persons are donated their travel and other expenses may be paid from this appropriation.

Mr. TILSON. Mr. Chairman, I move to strike out the last word and ask unanimous consent to proceed for 10 minutes out of order.

The CHAIRMAN. The gentleman from Connecticut asks unanimous consent to proceed for 10 minutes out of order. Is there objection?

Mr. GARNER. Mr. Chairman, reserving the right to object, it is my understanding that the gentleman from Connecticut proposes to discuss a matter that is not before the committee, the so-called farm relief bill. If we are going to have a debate on that subject to-day, I think that some one on this side of the House ought to have similar opportunity to express himself.

Mr. TILSON. Will the gentleman agree to confine it to 10 minutes?

Mr. GARNER. Yes.

Mr. TILSON. A discussion of this kind is irregular and, as a rule, ought not to be allowed on general principles, but this is a matter of such importance that I think we may well afford to make an exception of it. I am perfectly willing to have somebody on the other side discuss the matter for 10 minutes.

Mr. GARNER. The gentleman will recall that yesterday I suggested to him that an opportunity be given for a full debate on this proposition. I urged him then to set aside the bill now under consideration, the Interior Department appropriation bill, and take up immediately the farm relief bill, which we could have done very well this morning. As I understand it, that bill is ready for consideration. We could have considered it to-day and to-morrow, if need be, under general debate, which the gentleman is undertaking to indulge in now. I suggest that the gentleman give this side of the House 20 minutes, in case he takes 10 minutes, so that he can have 10 minutes more on his side if he desires to answer. Let us go into a general debate of this subject, if necessary.

Mr. TILSON. I merely wish to make a statement of my own views, and I do not think it will call for even a colloquy.

Mr. ASWELL. That is what we wish to do.

Mr. TILSON. I do not believe it will arouse any controversy.

Mr. ASWELL. We want an opportunity to answer.

Mr. GARNER. Whether it arouses controversy or not, I would like to have it generally understood before we give this consent that we are to have full opportunity on this side to debate the proposition.

Mr. TILSON. I shall be delighted to have the gentleman from Texas or the gentleman from Louisiana have an equal amount of time. We should like to finish the Interior Department bill early to-day, and therefore I should not like to consent to any great amount of time being consumed in extraneous debate.

Mr. CRAMTON. Mr. Chairman, I would not want any misunderstanding from leaving this in an indefinite state. Personally it is quite necessary for me that the Interior Department bill be completed to-day, unless we have a session to-morrow, which I do not suppose the House wants. Monday is consent day and on Tuesday I shall have to be away. I am anxious to complete the bill to-day, so that I

hope it is understood that this will not be a long debate upon a subject extraneous to the bill. I shall not object to the same amount of time on the other side as Mr. TILSON has.

The CHAIRMAN. Is there objection?

Mr. ASWELL. Is that understood?

Mr. TILSON. With the understanding that there will be an equal amount of time on the other side.

The CHAIRMAN. The Chair will put both requests. The gentleman from Connecticut asks unanimous consent that he may proceed for 10 minutes out of order, and that thereafter the gentleman from Louisiana [Mr. ASWELL] may proceed for 10 minutes out of order. Is there objection?

There was no objection.

Mr. TILSON. Mr. Chairman, in view of the strict limitation placed upon the time, I ask that I be not interrupted until I have finished my statement.

Because of the revolutionary character of the proposal that has been made in connection with drought relief to furnish food, clothing, and other necessities of life, I think this House should consider the matter with the utmost deliberation and care before embarking upon such a policy.

There is a very sharp dividing line, not only in principle but in fact, between the loan of Government funds for the purchase of seed, fertilizer, and livestock feed, as we have done in the past, and a loan to meet such needs as food, clothing, and, possibly, medical care, as has been proposed. In the one case the Federal Government is loaning funds to help rehabilitate and carry over an industry temporarily stricken by natural causes and unable to finance its immediate needs because of restricted credit facilities. In such a case the United States is advancing money which in all human probability will be repaid out of the very crop which it is financing.

In the other case—that of advances for food—while we may call it a loan because it sounds better, it is in effect distributing funds for strictly charitable purposes, which in many cases can not be repaid at all and in others can not be repaid without intolerable hardship to the beneficiaries. If charity is what we have in mind, then let us be honest with the people of the United States, with the taxpayers of the country, and admit that we propose to have the United States Government, whatever the implications and consequences, take over the work of charity hitherto assumed and well provided for by community effort and private contributions. If we are not thinking of charity, do we desire to have the United States Government ask a family in distress, faced with starvation, to mortgage its next year's crop, its future means of subsistence, in order to meet its immediate necessities?

The plain truth of the matter is that this is not what we have in mind. In so far as food is concerned, we are in effect dispensing charity and disguising it by calling it a loan. This is not honest from the standpoint of those who must eventually pay the bill or from the all-important standpoint of what are the proper functions of the Federal Government, nor will it work with equality and justice as between individuals. The high-principled and industrious among the distressed will insist on treating it as a loan and will cripple themselves and their families in an attempt to repay it; the idle and shiftless will accept it as a gift, dismiss any attempt at repayment, and live off the Federal Government as long as the opportunity exists.

If the people of the drought-stricken areas are so restricted in their credit facilities as to require the intervention of the Federal Government to finance their next year's crop, credit may be extended to them with entire propriety. If a man and his family are faced with starvation, what they need is relief and not to be saddled with additional debt.

If they need relief, the way to offer it to them generously, fairly, and in accordance with our traditions and practice is to turn to the great relief organization maintained by the people of the United States to take care of just such situations as this. It will smack much less of charity to have the Red Cross Society, which is in a sense a great insurance company maintained by the American people as a whole, to which they may look in time of need, to undertake the work

of relief than to tap the United States Treasury and thereby establish in the United States in fact, if not in name, the dole.

The Red Cross, by formal resolution of its central committee, has declared its intention and ability to take care of the actual distress needs of the people of the drought-stricken area, exclusive of seed, fertilizer, and animal feed, which they very properly leave to the Government, State and National. Now, mark you, the Red Cross proposal is not limited to food, but to clothing, fuel, medical supplies and attention, and other similar distress needs of the people of the sorely afflicted territory.

If our real desire is to see the needs of these people intelligently, thoroughly, and generously provided for, we should turn to the Red Cross. If our real purpose is to drill a pipe line into the Federal Treasury and establish the dole in the United States, with all that will necessarily follow, not only in the stricken areas but throughout the country, where community after community is generously providing for the needs of its people in accordance with American tradition and American spirit, then let us adopt the Senate bill. In doing so, however, let us at least understand what we are doing and the direction which the road upon which we are entering leads.

From the foundation of the Government we have looked to the community spirit and to private generosity to take care of those of our people temporarily or permanently in need. Is this a work which can be properly undertaken by the Federal Government? Is the United States to create bureaus in every county and municipality throughout the United States to dispense charity through a horde of bureaucrats? Do not believe for one minute that you can destroy community responsibility, wipe out State, county, and municipal lines without producing the result, which has been repeatedly exemplified in the past, of having the people turn to Washington for relief, and thus gradually lose all sense of their own responsibility.

Such a policy will not only destroy the sense of local responsibility, which is one of the very foundations of our institutions, but will almost inevitably dry up the sources of private generosity. Moreover, every proposed charitable cause, good or bad, will expect to find a responsive Federal Government at its beck and call. Members of Congress will be expected to get a maximum of Federal funds for their respective districts, and their success or failure as Members of Congress will be measured by their ability to tap the Federal Treasury.

We sometimes point with pride to the way in which we follow sound principles of government, and have pointed the finger of criticism at other governments, with their deficits and their doles, yet when we are confronted with a truly difficult situation there are those apparently willing to face a growing deficit with complete complacency and turn to the dole as a ready road out of our immediate difficulties.

I am not unmindful of the argument that has been made that after the war we took money from the Federal Treasury to feed the starving of Russia and other countries of Europe. The cases are in no way analogous. In the one we were succoring a people who were prostrate from war, with stable governments wiped away, industries paralyzed, money valueless, and without means of a livelihood or even hope of the future. In the other we have the problem of temporary relief to a sturdy class of Americans possessing an unbounded courage and an indomitable will to overcome the vicissitudes which have come to them in their relentless fight with the forces of nature. Behind them are the strongest Government in the world, with currency and resources unimpaired and established relief agencies ready and willing to afford every measure of relief necessary to carry them through the winter and into the bright period of another spring and new crops, and to new means of livelihood.

We have met great disasters in the past without recourse to Federal Government charity. We have only to let our memory run back a matter of three years to recall one of the greatest disasters in the history of our country—the

Mississippi flood—when a wild and turbulent river, breaking its bounds in many places, brought disaster to many thousands. Not only were crops destroyed, cattle, horses, and mules drowned, but even homes were swept away. When the waters receded and the refugees returned they had only their land upon which to build. Was there any proposal then that the Federal Government should advance a dole out of the Federal Treasury for these people bereft of their all? Of course there was not, because the American Red Cross and local agencies took care of the situation with such assistance as the administration has proposed in the present case—that of loans for seeds, fertilizer, and farm implements.

When Vermont and other States were ravaged by a flood and when a vast section of Florida was laid waste by a hurricane, the sufferers did not look to the Federal Government for charity or for loans for food, medical assistance, or other personal relief. The Red Cross and local relief agencies stepped in to bring succor and relief just as they are ready to do now.

I have referred to some of the evils that may be expected to flow from the establishment of the dole in the present instance. There are others and of even greater consequences. We have no doubt that any sums we may now appropriate will be honestly and efficiently administered, but it requires no very great stretch of the imagination to envision the possibility of a dishonest administration using the vast resources of the Federal Treasury under the guise of relief to build up a political organization to bring about its retention in office. I have already pointed out that the distribution of charity would require a horde of bureaucratic agencies over the country and such agencies with vast sums to dispense could, if so disposed, wield a most powerful political influence for the administration in power.

There is still another phase of the question to which I would call attention. Remove the need for voluntary aid to sufferers in America and we shall thereby atrophy one of the noblest emotions of the human heart—that of a generous response to the call for succor to distressed peoples, not only in America but throughout the world.

I am unwilling to do an injustice to the people in the stricken area and an injustice to all the rest of the people by opening the way for future abuses with their baleful effects alike upon the Government and all the people. I therefore stand opposed to legislation which I regard unsound as well as unjust alike to those we would serve and to the whole Nation.

The CHAIRMAN. The gentleman from Louisiana [Mr. ASWELL] is recognized for 10 minutes under the agreement.

Mr. ASWELL. Mr. Chairman, ladies and gentlemen of the House, in the Washington Post of December 8 in an editorial appeared this language:

Mr. ASWELL, of Louisiana, a Democrat hailing from a State that has not suffered from drought, will lead the pork barrel forces in an attempt to raise the appropriation to \$60,000,000.

That statement by the Washington Post is false and infamous and could have been written by none other than a nit-wit or a man deliberately trying to libel, and I shall not dwell upon it now, but my State will have the Washington Post account for that in the courts.

Mr. Chairman, I ask unanimous consent to print at this point, in order to economize time, telegrams from the governor and Senator elect of my State, drought committee chairman, and commissioner of agriculture in answer to this editorial in the Washington Post.

The CHAIRMAN. The gentleman from Louisiana asks unanimous consent to print at this point in his remarks certain telegrams. Is there objection?

There was no objection.

The telegrams are as follows:

BATON ROUGE, LA., December 11, 1930.

HON. JAMES B. ASWELL,

Member of Congress:

Relative to editorial Washington Post December 8, statement that Louisiana has not suffered from drought gross misrepresentation. I appointed State drought-relief committee at request of President Hoover and officials of his administration. As you know

at least 25 parishes in this State suffered severely from drought, and Red Cross has expended in that area a hundred thousand dollars. I earnestly urge that amount be made available for drought relief be fixed at minimum of \$60,000,000.

HUEY P. LONG,
Governor and Senator Elect.

ALEXANDRIA, LA., December 11, 1930.

Congressman J. B. ASWELL:

Sending telegram as below to Washington Post: Will you correct your statement editorial 8th, that Louisiana has not suffered drought? Twenty-five counties produced no feed or food crops less than one-fourth normal cotton crops. Thirty thousand families without means to carry on farm operations next year. Local financial institutions unable to meet requirements. Red Cross has already spent \$100,000 charity relief work in Louisiana account drought. Sure you will be fair enough to correct your statement.

B. F. THOMPSON,
Chairman Louisiana State Drought Committee.

BATON ROUGE, LA., December 12, 1930.

JAMES B. ASWELL,

Member of Congress, Washington, D. C.:

Just read the contemptible untruthful editorial in Washington Post December 8. This outburst of sectional poison from the pen of some ignorant partisan politician surely has not taken the time or trouble to inquire into the situation that exists not only in Louisiana but in 15 or 16 other States. The Post don't seem to know the difference between a legitimate loan, which will be repaid to our Government within the next 10 to 24 months, and some pork-barrel public improvement that will come out of our Treasury never to be returned. Can not some one wake up this fellow and send him to find out true conditions? I shall be glad to guide him through Louisiana or any other State, if he will allow me.

HARRY D. WILSON, Commissioner.

ALEXANDRIA, LA., December 10, 1930.

Hon. J. B. ASWELL:

In 1917 when our country called for volunteers the young manhood of north Louisiana rallied as volunteers to the call. The present drought section gave a large number of these men from the farm home. I saw fathers and mothers bid their sons farewell with tears and smiles and a word of encouragement to discharge their duty. The records show how well this duty was performed. The fathers and mothers returned to their homes to patriotically carry out every mandate from Washington. They took the place of their sons at the plowshare and cooperated in the Hoover plan for food production and conservation. Practically all of these boys from the farm went as privates, many of them remain in Flanders field. These mothers and fathers from the farm did not complain but glorified in the fact that their John had made the supreme sacrifice for their country. It is these same farm people that I am pleading for. These people still have faith in their country and the prompt passage of the drought-relief measure yesterday by the Senate renewed this faith. Many of them are looking toward the east to-day with a prayer that Congress will consider them in their dire necessity and not turn them down, when considered individually, the small pittance asked as a loan. They are not seeking charity. They are asking for a loan which they expect and will repay out of next year's production. This small loan will enable them to remain in their homes self-sustaining, self-respecting patriotic American citizens. May I hope and insist on the passage by Congress of the original resolution providing food as well as other necessities for these farmers.

B. F. THOMPSON,
Chairman Louisiana Drought Relief Committee.

Mr. ASWELL. Mr. Chairman, ladies, and gentlemen, the Republican floor leader of this House, usually a man of very keen intellect, and sometimes fair, reveals himself in a most pathetic attitude this morning. The gentleman does not discuss the subject at all. The gentleman is very much afraid that an army of agents will be sent out through the country and help the administration. If an administration, after the last election ever needed help, it is this administration.

The facts are that nothing of the kind will happen. My resolution does not deal with medical supplies, as the gentleman suggested. The gentleman has not read the resolution. He makes the startling statement that it is leading to a dole, and he talks about deficit. That is the stock stuff we have been having here ever since this Congress met.

I would like for the Members of this House for a moment to note that in the pending Interior Department bill before Congress there is an item of \$400,000, inserted by a member of the committee without ever having discussed it with the Bureau of the Budget, for a library at the negro university here. That is a raid on the Treasury without discussing it with the Bureau of the Budget; but, there is no Treasury

raid in my joint resolution providing \$60,000,000 for loans. It provides specifically for a loan. The floor leader who spoke just before me said he wanted to investigate it. This question was taken up officially on October 20 when the gentleman from Connecticut knew nothing about it, but his own commissioner of agriculture was in that convention here in Washington, and at that convention a committee was appointed to write this resolution containing the \$60,000,000 and food, and they asked me to help them. They wrote it in cooperation with the Secretary of Agriculture. It has been studied painstakingly for three months.

Then the drought relief committee chairmen who were created by the governors at the request of the President were here on November 20. They took the same position as the commissioners of agriculture on this resolution, carrying \$60,000,000 and food. Why? Because the farmer is required to mortgage his next year's crop for food, his garden included, and at the same time to mortgage the labor of himself, his wife, and children for 12 months, in order to borrow enough money to live upon and to make another crop. He is prostrated in this area of 24 States. He has no credit. He has nothing upon which to earn a living or to make next year's crop, and if you deprive him of this loan, you will add 5,000,000 people to the already astounding number of unemployed in America. These men on the farm who can not make a crop will come to the towns and cities and add to unemployment. My resolution will keep these people on the farms in productive labor.

This resolution providing \$60,000,000 does not undertake to deal with the general question of unemployment, but proposes to deal with the small farmer, who is in need of a loan.

Talk about charity. Talk about raiding the Treasury. It will be repaid to the Government within 10 months, and everybody knows it. The Government will not lose over 10 per cent, as record of former similar loans shows.

I notice this same Washington Post and some of the gentlemen on the Republican side have said that this joint resolution for \$60,000,000 would compete with the Red Cross. The asininity of that statement is astounding. Why? Here are the facts: The Red Cross reported, when the drought came on in August, that they had \$5,000,000 available. Since then the Red Cross has sent \$222,709 to Santo Domingo. In the past eight years the Red Cross has given for disasters in other countries of the world the sum of more than \$40,000,000. More than \$5,000,000 a year has the Red Cross sent to other countries of the world. They had \$5,000,000 to begin with. Now, in the President's message the other day, he said they had spent only one-half million, and they have \$4,500,000 to carry on their noble operations in all the world, and yet you say the Red Cross must take care of these 5,000,000 people in the 24 States of the drought area. It is too absurd to be considered that this joint resolution would supplant the Red Cross.

Now, Mr. Chairman, the commissioners of agriculture wrote the resolution in cooperation with the Secretary of Agriculture.

This resolution was approved by the drought committee when it was here. I thought for three months that I had the enthusiastic support of the Secretary of Agriculture. The drought committee left here in November, enthusiastic and encouraged because they thought they had his support, the Secretary of Agriculture having been most outspoken in his approval.

When the Congress met on Monday we undertook to get our chairman of the committee to call a meeting of the committee to consider it. The Republican members of my committee helped me, as well as the Democratic members, and we thought there was no opposition. We did not hear of any at all until Wednesday morning.

The Secretary of Agriculture had promised me to be present on Wednesday, but when I heard of him next he was fishing in Florida. It was the first hint I had of what was going on under cover. On Wednesday—and hear me, because I want to give it exactly—there came a messenger from the office of the Secretary of Agriculture with another resolution cutting the amount to \$25,000,000. The mes-

senger handed the resolution to the chairman of our committee, with a report approving it already written. It is in the RECORD. That was done before the chairman had ever introduced the resolution. He swallowed it, and 12 Republicans on my committee, thinking they were the 12 apostles, went with him. Then what happened? This messenger went on to the Senate and there he told Senator McNARY, the chairman of the Agriculture Committee of the Senate, the same thing, that he must introduce it. McNARY had been selected by the commissioners of agriculture to introduce this original resolution for \$60,000,000 in the Senate. They wanted to make it nonpolitical and nonpartisan. McNARY, being a good Republican and a Republican leader—Senator McNARY, able, brilliant, on the square, and all in all a man, is a good Republican; he is the ablest Republican leader you have in the Senate—he obeyed this request and introduced the resolution. Then he went before his committee and said that he did this on request, but that he was not for that small resolution but for the original one carrying \$60,000,000 which the drought people asked him to introduce, and he put it through by unanimous vote, the original resolution, as it was written by the commissioners of agriculture.

I wish I had time to bring it up to date, but I will bring it up to date the next time I get a chance to speak. [Applause.]

The CHAIRMAN. The time of the gentleman from Louisiana has expired.

The Clerk read as follows:

GENERAL SUPPORT AND ADMINISTRATION

For general support of Indians and administration of Indian property, including pay of employees, \$1,275,000, including not to exceed \$10,000 for home demonstration work among Indians, including necessary personnel, travel, and other necessary expenses, and purchase of equipment and supplies; and including not exceeding \$88,520 for the purpose of discharging obligations of the United States under treaties and agreements with various tribes and bands of Indians as follows: Coeur d'Alenes, Idaho (art. 11, agreement of March 3, 1891), \$3,960; Bannocks, Idaho (art. 10, treaty of July 3, 1868), \$7,700; Crows, Montana (arts. 8 and 10, treaty of May 7, 1868), \$7,660; Quapaws, Oklahoma (art. 3, treaty of May 13, 1833), \$2,280; Confederated Bands of Utes (arts. 9, 12, and 15, treaty of March 2, 1868), \$57,480; Spokanes, Washington (art. 6, agreement of March 18, 1887), \$1,320; Shoshones, Wyoming (arts. 8 and 10, treaty of July 3, 1868), \$8,120.

Mr. CRAMTON. Mr. Chairman, on page 59, line 2, I offer an amendment, which I send to the desk.

The CHAIRMAN. The gentleman from Michigan offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. CRAMTON: Page 59, line 2, after the word "supplies," insert "and including not exceeding \$160,000 for relief."

Mr. CRAMTON. Mr. Chairman, in explanation of that I will say that this general administration item includes each year some money purely for relief—the issuance of supplies to indigents, and so forth. The Budget increased that amount somewhat this year, and by reason of conditions prevailing in the field it is the thought of the committee that it should be increased, and in the amount recommended to the House the increase was provided. The purpose of the amendment is to segregate that expenditure in order to see that it is held for that purpose alone.

Mr. Chairman, I would like to modify the amendment and make the amount immediately available.

The CHAIRMAN. Without objection, permission is granted to modify the amendment, and the Clerk will report the amendment as modified.

There was no objection.

The Clerk read as follows:

On page 59, line 2, after the word "supplies," insert "and including not exceeding \$160,000 for relief, to be immediately available."

Mr. CRAMTON. I may say, supplementing what I have already said, that it is made immediately available because of drought conditions and other conditions which have seriously affected the Indian population. The gentleman from Oklahoma [Mr. HASTINGS], who is very familiar with those

conditions, has stressed the importance of increasing the amount, and that it be made immediately available.

Mr. HOWARD. Will the gentleman yield?

Mr. CRAMTON. Yes.

Mr. HOWARD. I would like to ask the chairman a question. I do not see my Ponca or Santee Sioux Indians in Nebraska named in this, and I would like to ask if it would be possible that any portion of this might be employed for their relief?

Mr. CRAMTON. May I say to the gentleman that the tribes mentioned are those which have certain treaty agreements which are fulfilled specifically as indicated; it amounts to only some \$80,000 or \$90,000 for those tribes, and the \$1,000,000 is spread over a great number of other tribes, very likely including the ones the gentleman referred to.

Mr. HOWARD. The gentleman has no doubt that I might induce the Commissioner of Indian Affairs, if this appropriation be granted, to carry some relief to the suffering Indians I have named?

Mr. CRAMTON. It will be within his discretion to do so and within his authority to do so.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Michigan.

The amendment was agreed to.

The Clerk read as follows:

Not to exceed \$10,000 of the appropriation contained in the Interior Department appropriation act for the fiscal year 1931 for the support of the Fort Bidwell Indian School, California, is hereby made immediately available for surveying, plotting, grading, and preparation for an Indian colony on the Fort Bidwell School Reserve, and for fencing, and installation of sewer and water systems, including supervisory and other skilled labor and purchase of necessary materials and supplies.

Mr. ENGLEBRIGHT. Mr. Chairman, I move to strike out the last word.

I would like to ask the chairman in charge of the Interior appropriation bill what assurance the House has that the various items mentioned in this bill for the Bureau of Indian Affairs and the amounts set forth therein will be expended for the purposes indicated.

Last year this appropriation bill carried a specific provision and appropriation for the operation of the Indian boarding school at Fort Bidwell, Calif. In violation of the mandate of the Congress the Commissioner of Indian Affairs closed the school.

Unless we have some binding clause in these appropriations to prevent the Commissioner of Indian Affairs from arbitrarily disregarding the laws passed by Congress and with this dangerous precedent established by the Indian Bureau, how do we know the money will be expended as indicated here? If the Bureau of Indian Affairs is to continue such a presumptuous policy, it is a farce for this House to go through the formality of passing this appropriation bill, at least in so far as the Bureau of Indian Affairs is concerned. Not alone was the will of Congress glibly cast aside by the bureau, but I understand they now propose to demolish at Fort Bidwell a lot of very good buildings in order that an altruistic theory may be followed out. I am sure the Commissioner of Indian Affairs understands the laws of this country and his action could hardly have been in ignorance thereof. There is a most urgent need for the continuation of the Fort Bidwell Indian Boarding School.

Mr. CRAMTON. There is a great deal of force in what the gentleman from California [Mr. ENGLEBRIGHT] has said. Last year a specific appropriation was made by the Congress for the maintenance of the Fort Bidwell Indian boarding school for the current year. Notwithstanding that, the school was closed in September last and the committee and the Congress were given no notice of such action until it was consummated.

I may say to the gentleman that in the hearings the very situation the gentleman refers to is discussed and the Commissioner of Indian Affairs recognizes entirely the force of the position suggested and definitely assures us that further institutions specifically appropriated for will not be closed without Congress having an opportunity to consider the

proposition. A practice such as occurred in the Fort Bidwell instance would make it quite foolish for our committee to hold hearings and make a study of proposed appropriations; and if it is to be held that these things can be done without consulting Congress, in self-defense Congress would have to tie up the items with language that would make administration difficult.

In this particular case I think it was somewhat from a lack of familiarity with Government practice, and that it will not be continued.

Further, since the gentleman refers to the Fort Bidwell situation, I would like to make this statement. The wisdom of continuance of the Fort Bidwell school is a debatable question. There are arguments on each side of the question, and the closing of the school being an accomplished fact, and in view of the direct inspection of the premises by the assistant commissioner and all the other circumstances, we did not feel justified in overruling the bureau in this particular matter. I am frank to say, however, that since our action was taken, from further information I have received, including numerous photographs of buildings that are to be abandoned and which were urged as being unsuited to further use without great expense, I personally feel grave doubt about the wisdom of the action which the bureau has taken. I can recognize that anyone who thinks that an Indian can only be taught or housed in a 100 per cent perfect structure, with floors in perfect conditions and all that sort of thing, would not take the view that I do; but when you contrast these structures with what these Indians live in at other times, they must think they are in a little heaven when they get into these buildings, if they are capable of appreciation of improvement in surroundings.

I think there is grave doubt about the wisdom of their action, but they have taken it, the bureau has the responsibility, and our committee has not seen fit to interfere with that discretion.

Mr. ENGLEBRIGHT. I intend to take the matter up further with the Indian Bureau. I feel that the demolition of the type of buildings that exist there would be gross extravagance. I made a personal inspection of them this summer.

I am very grateful for the gentleman's remarks and for his explanation.

I withdraw the pro forma amendment, Mr. Chairman.

The pro forma amendment was withdrawn.

The Clerk read as follows:

Iowa: Sac and Fox, \$4,500, to be immediately available.

Mr. COLE. Mr. Chairman, I move to strike out the last word for the purpose of asking a question to clarify a matter in my own mind and in order to be able to answer some questions that have been submitted to me. Does the \$4,500 appropriated here come out of tribal funds or is it an appropriation of public moneys?

Mr. CRAMTON. Tribal funds.

Mr. COLE. What tribal funds?

Mr. CRAMTON. Mainly the income which these Indians get from the leasing of certain lands.

Mr. COLE. There was a penalty incurred of a few hundred dollars on delinquent taxes, not through any negligence on the part of the Indians or their administrators but because the language of the last appropriation act made it impossible for them to pay this money.

Mr. CRAMTON. Let me say to the gentleman there are several sides to that proposition. What the gentleman is talking about is the fact that the State out there and the county are taxing the lands of these poor Indians. In my own judgment, after my study of the history of it, they ought not to tax these lands, and I question their right to do it, but they do it. So we withheld the appropriation to pay the taxes. It has gone on for a year or two years or three years, and it has been worked out, and the solicitor for the department rules that the State has the right to get these taxes.

The unfairness is revealed in the fact that they pay a road tax and do not get roads; they pay a drainage tax and do not get drainage, and so forth; but they apparently have

got to pay it, and, bowing to the opinion of the solicitor, the item here is carried to pay up the back taxes.

Now, the gentleman from Iowa [Mr. COLE] raises the question that because the State of Iowa and the county in which these Indians are located are collecting not only the taxes but are exacting a penalty for delay in paying them, evidently the gentleman thinks the Federal Government ought to make that up; but the gentleman overlooks the fact that the money belonging to these Indians that would have been used to pay the taxes, if the appropriation had been made last year and the year before, has instead remained in the Treasury and has drawn interest ever since, and the difference between the interest that they have realized on their money and the penalty is not a very great amount.

Mr. COLE. Who has the right to waive the taxes?

Mr. CRAMTON. I am not familiar with the law, but the Legislature of Iowa, I think, meets in a month. It could correct the law if the law does not now permit it. I think the legislature might well change the law with reference to this fact.

Mr. COLE. The lands belong to the Indians, and it would be a great hardship on the county to withdraw them from taxation, as it would increase taxes on the other lands in the county.

Mr. CRAMTON. Oh, in the West there are hardships greater than that. This is a prosperous county, well populated, and it would not seriously affect it if they waived the taxes on these lands.

Mr. COLE. Tama County is prosperous, but taxes are burdensome, as they are in all agricultural counties. The Indian lands are not sufficient for the livings of the 383 persons listed. The total of the lands belonging to the Indians is 3,300 acres. Five hundred and twenty acres of this is leased to white men for the purpose of getting revenue for the payment of taxes and other urgent incidental expenses. The per capita acreage of the reservation is approximately 9 acres, one half of which is agricultural land, and the other half is not adapted to farming. This makes a per capita acreage of agricultural land a little more than 4 acres, an amount far too small to enable a man to support himself and family. The Indians are fairly good farmers, but do not have sufficient land to cultivate.

Mr. CRAMTON. This is a matter for the State of Iowa to consider.

Mr. COLE. Could it be amended so as to make the penalty, at least, payable by the Government?

Mr. CRAMTON. That would not be germane. They have had the interest on the money, and that would offset the penalty. The penalty is not much more than the interest.

Mr. COLE. It amounts to as much as 12 per cent, I think.

Mr. CRAMTON. You certainly charge them enough out there.

Mr. COLE. In order that the situation among the Sac and Fox Indians in Iowa may be better understood, let me state how the present plight has arisen.

A Federal statute requires that all tribal moneys used for the support of the various activities on the reservation must be appropriated by Congress. The appropriation act for the fiscal year 1929 contained on page 26 an item appropriating \$1,800 of moneys belonging to the Sac and Fox Indians for the support of the activities of the reservation. This includes the payment of taxes and the money was derived from rentals on 520 acres of land leased to white men for a cash rental. A similar item appeared in subsequent appropriation acts since the passage of the law requiring appropriations.

The appropriation act for the fiscal year 1930, page 25, contains the following item:

Iowa: Sac and Fox, \$600: *Provided*, That no part of this appropriation shall be available for the payment of taxes on any lands held in trust by the United States for the benefit of said Indians.

The proviso prohibiting the use of any of the money for the payment of taxes on the land made it impossible for taxes to be paid which were due in March, 1930. The Iowa law requires that when taxes become delinquent the land

shall be advertised and sold. In accordance with this law the treasurer of Tama County had arranged to advertise the land on November 4, 1930, and it would be sold on December 1, 1930. The advertising of the land would create such an unsatisfactory situation among the Indians that the superintendent prevailed upon the treasurer to postpone the sale and an effort would be made to secure an appropriation for the payment of these taxes. This the treasurer finally decided to do. And at my request the language and the amount appropriated have been changed in the bill now before us. But at present there is a penalty on account of delinquent taxes of approximately \$100 due in addition to the taxes. This has worked a hardship on the Indians, because they have no money in the Treasury of the United States with which to pay the taxes, but the act of Congress forbids the payment and the Indians suffer thereby. The failure to avoid these penalties being due to Congress, Congress should appropriate funds belonging to the Government sufficient to pay the penalties thus incurred. I believe also that we might well appropriate the taxes for the current and subsequent years in order that these Indians may have an opportunity to equip themselves for making a better living.

The pro forma amendment was withdrawn.

Mr. CRAMTON. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. CHINDBLOM, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 14675, the Interior Department appropriation bill, and had come to no resolution thereon.

EMERGENCY CONSTRUCTION APPROPRIATION BILL

Mr. WOOD. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 14804) making appropriations for emergency construction, disagree to the Senate amendments, and ask for a conference with the Senate; and, further, that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on such bill be given specific authority, as provided by clause 2 of Rule XX, to agree to any amendment of the Senate providing for an appropriation.

I will say that the purpose of asking this authority is because of the fact that this bill is not a general appropriation bill, and when we come to conference the conferees could not agree on matters of appropriation.

Mr. CRAMTON. The action of the House in granting consent asked for by the gentleman from Indiana would not in any way be taken as a direction by the House conferees to agree to the Senate amendments?

Mr. WOOD. No; it would place the House conferees in the same position as to appropriations as if it was a general appropriation bill.

Mr. CHINDBLOM. Will the gentleman yield?

Mr. WOOD. Yes.

Mr. CHINDBLOM. Does the gentleman include in his motion that the conferees be immediately appointed?

Mr. WOOD. Yes.

Mr. CHINDBLOM. The gentleman did not so state.

Mr. WOOD. I intended to, and I make that request.

Mr. GARNER. May I ask the gentleman a question? The gentleman thinks this bill is more of a legislative bill than a general appropriation bill?

Mr. WOOD. Yes. It was ruled here the other day that it was not a general appropriation bill.

Mr. GARNER. And the amendments placed on it by the Senate could not be agreed to by the conferees with the additional appropriation made, because this not being a general appropriation bill it would be legislation within the meaning of the rule to which the gentleman has referred?

Mr. WOOD. That is correct.

Mr. BLANTON. I would like to ask the gentleman a question. If the House agrees to the unanimous-consent request, then the House conferees would be in a position

where they could deny the legislative provision which the Senate has placed on the bill?

Mr. WOOD. Absolutely.

Mr. BLANTON. If the membership were in favor of the amendments placed on the bill by the Senate, it would be for their interest to deny the request asked for by the gentleman?

Mr. WOOD. I think not, because it is a free and full conference, and I do not think the gentleman wants to interfere with the conferees of the House.

Mr. EDWARDS. Is this the \$110,000,000 appropriation bill passed by the Senate the other day?

Mr. WOOD. It is.

Mr. BANKHEAD. Would the granting of this request amount to a waiver on the part of any Member of the House to make any point of order against any agreement of the conferees?

Mr. WOOD. No.

The SPEAKER. The Chair thinks it would have the effect of waiving the point of order provided by clause 2 of Rule XX, but not as to anything else.

Mr. BANKHEAD. That would be my interpretation.

The SPEAKER. The Chair would think so.

Mr. BANKHEAD. I wanted to have that cleared up before consent was given.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

The SPEAKER appointed the following conferees: Mr. WOOD, Mr. CRAMTON, Mr. WASON, Mr. BYRNS, Mr. BUCHANAN.

INTERIOR DEPARTMENT APPROPRIATION BILL

Mr. CRAMTON. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 14675, the Interior Department appropriation bill.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the Interior Department appropriation bill, with Mr. CHINDBLOM in the chair.

The Clerk read as follows:

For the support of the Osage Agency, and for necessary expenses in connection with oil and gas production on the Osage Reservation, Okla., including pay of necessary employees, the tribal attorney and his stenographer, one special attorney in tax and other matters, and pay of tribal officers; repairs to buildings, rent of quarters for employees, traveling expenses, printing, telegraphing and telephoning, and purchase, repair, and operation of automobiles, \$259,000, payable from funds held by the United States in trust for the Osage Tribe of Indians in Oklahoma.

Mr. CRAMTON. Mr. Chairman, I move to strike out the last word. For many years the superintendent of the Osage Agency has been Mr. J. George Wright. He is one of the outstanding figures of the Indian field service. Since so many people have the impression that there is nothing but graft in the administration of Indian affairs in the field, I rise to remind the House that such is not the case and to cite the unspotted record which has been made by J. George Wright in handling the millions of dollars that he has for the Osage Indians.

After a very notable record in the Indian Service Mr. Wright, at the age of 71, is about to be retired. In my work I have had contact with him and his work and have come to entertain the very highest regard for both. He has always been zealous for the interests of the Indians and effective in protecting them.

I am pleased to quote the following high tribute from an editorial in one of Oklahoma's leading newspapers, the Tulsa World:

Successive generations of politicians and grafters have surged against J. George Wright, superintendent of the Osage Indian Agency. * * *

From a high hill in Pawhuska, Wright has administered Osage affairs for many years. His service began when the tribe was comparatively poor and when oil development was only partial; he remained through the gusher period when the wealth of the Osages rose to the greatest height ever attained by any tribe or

people; he remained through the inevitable decline and to a time when the superintendency is very much more a routine and commonplace job than it has been for a quarter of a century. How many millions of dollars he has handled without a taint, how many schemes for wresting Osage wealth from the Osages he has baffled, how many Indians he has forced to save money and build homes, how many fine schemes for diversion he has stopped, how many high-powered salesmen and promoters he has scotched, we do not know. The number of cases is not so important as the fact that one principle—the welfare of the Osages—was continuous and effective. It is a matter of common knowledge that Wright has filled his job with conspicuous fidelity and unvarying honesty and ability. He ruled from a high hill physically, and his outlook, morally and intellectually, was likewise elevated above the clamor of his time.

Many have complained against Wright's management. Many of us have thought he was too unbending and zealous, but none have questioned his intentions or his honesty or intelligence. Politicians have repeatedly tried to have him removed to some less important sector of the financial vineyard, and they almost succeeded occasionally. * * * In the hearing in Washington Congressmen HASTINGS, of Oklahoma, and CRAMTON, of Michigan, said all that is necessary to be said at Washington; they made it perfectly clear why the demand for Wright's scalp is unrelenting. These are men who know the facts.

* * * Wright's deafness; that seems to be one of the main pretexts for refusing to continue him at Pawhuska. Everybody knows Wright is rather deaf, and he has been so for many years. It has never interfered with his eyesight or his brain or his conscience, and he seems to have heard almost everything worth while. The instance is reminiscent of Lincoln's alleged reply to the people who told him about Grant's drinking; he wanted to send a barrel of whisky to each of his generals. The Wright style of deafness is often a good thing in the public service.

It is rather apparent the Secretary of the Interior does not understand the entire situation. It is evident the bureau chief does not know at first hand the facts of the situation in the Osage country. It is evident the small item of reputed deafness—an affliction of many years' standing—outweighs in the bureau the facts of distinguished probity and worth and of exceptional handling of a most difficult matter. The Osage problem, long acute and aggravated by great wealth, is not helped.

The matter of Mr. Wright's retirement came up in the course of the hearings in connection with this item for appropriation of Osage funds, and the following discussion resulted:

Mr. HASTINGS. With reference to that item, let me ask the commissioner this question: The expenses with reference to the Osage Agency, the supervision of their oil and every payment of their expenses is out of the Osage funds?

Mr. DODD. That is correct.

Mr. HASTINGS. The tribal council down there have asked for an extension of time on the retirement of J. George Wright, their superintendent.

Mr. RHOADS. Yes, sir; and that was granted for one year.

Mr. HASTINGS. I have understood that the department has indicated its unwillingness further to extend that time?

Mr. RHOADS. Yes, sir.

Mr. HASTINGS. I am not going to insist, Mr. Commissioner, but I just want to point a finger of warning so that the other members of this committee may look back to this in after years. I predict that you are courting grief in the change of this superintendent.

This man has been in the Indian Service about 40 years, and is physically strong and mentally alert. In my judgment, he is one of the best men in the Indian Service. This is the most difficult place in the Indian Service I know of satisfactorily to fill, and he has filled it, so far as I know, without criticism.

My judgment is that the wishes of these Indians ought to be considered, in view of the fact that their funds are paying all the expenses, and, so far as I know, here is a man with the best record in the entire Indian Service.

Mr. CRAMTON. It is an outstanding record, certainly.

Mr. HASTINGS. It is an outstanding record, and this is the most difficult place you have to fill, and I just warn you now that you take this man out, and you put a new man in, and you are going to come to grief just as certainly as you do it.

But I have understood that you are unwilling to continue his services. I have understood that the Osage Council out there—they are not in my district—but I have understood that the Osage Council has petitioned and implored, and done everything they could, to get this man continued another year.

It is true he is beyond the retirement age, but he is physically strong and alert and active and with a splendid record, and I just want to say as much for the record here, so that I can have the satisfaction of calling it to your attention in the years to come, after you have made the mistake.

Mr. MURPHY. Do you contemplate replacing this man that Mr. HASTINGS has spoken about?

Mr. RHOADS. Yes, sir. As Mr. HASTINGS says, he is beyond the retirement age and we have extended it one year already.

Mr. MURPHY. What age is that?

Mr. RHOADS. He is past 70—in his seventy-first or seventy-second year.

Mr. MURPHY. But quite capable of attending to the work?

Mr. RHOADS. His disability is advanced.

Mr. MURPHY. We, on the hill, at the last session of Congress, extended about four or five employees about the Capitol here indefinitely, as long as they are physically fit to continue in the service. We felt—and every Member of the House, Democrat and Republican alike, voted for it—that as long as Andy Smith and four others were physically able to continue to do the work they would be continued in the service.

In view of the statement of Mr. HASTINGS with reference to the desire of these Indians to keep the services of this man, would not you think that it would be a very good psychology for the Indian Bureau to continue the services of this man, even though he may have a little defect?

Mr. RHOADS. It is more than a little defect, Mr. MURPHY. The case has been given, I think, a great deal of consideration by everybody in the bureau, including the Secretary's personal attention, and he was granted one year's extension last year.

Mr. CRAMTON. What is the law? How long can you extend it?

Mr. BURLEW. Up to four years. After that it is compulsory.

Mr. MURPHY. Would it not be good psychology to give him all the extension you can? I am making these statements in view of what Mr. HASTINGS has presented to the committee and to the bureau in the presence of the committee in reference to this particular case.

Mr. BURLEW. The very fact, as Mr. HASTINGS has said, that it is one of the most important jobs in the Indian Service is the reason that the Secretary is insisting on relieving Mr. Wright. The commissioner urged his retention for the year, and acquiesced in his retirement. But Mr. Wright is physically unable to know all that is going on around him.

Mr. CRAMTON. I will guarantee he will know more about the situation and as to what is going on around the house, with both ears plugged up, than any man you can send there.

Mr. BURLEW. That may be—

Mr. CRAMTON. Whom have you in sight?

Mr. BURLEW. Nobody.

Mr. CRAMTON. Had you not better keep him there until you are able to fill the position?

Mr. HASTINGS. Mr. Wright has had a slight deafness and it has grown for the last 10 or 15 years, but I do not think it interferes with the performance of his work.

Mr. CRAMTON. These Indians, with the experience of the past, want this man. The more money they have the more grafters there are to separate them from the money. This man has rendered a service that entitles him to the greatest consideration.

Mr. Wright has passed the retirement age and his retirement has been deferred one year. Notwithstanding the representations thus made by the gentleman from Oklahoma and others of the subcommittee, the Secretary of the Interior has definitely declined to consider a further extension. That is within his responsibility and his jurisdiction, and I have no desire to criticize his action. I am sure he is exercising his discretion in accordance with his own best judgment. I will only submit the hope that he succeeds in naming a successor to J. George Wright who measures up to his predecessor. If he does that no one will ever have reason to complain.

I have risen to-day to pay tribute to a public servant, a long-time official of the Indian Service, who has always done his duty, who has rendered conspicuous service in the field of peace. As he steps into retirement he should know he carries with him the appreciation of all good Americans.

Mr. HASTINGS. Mr. Chairman, the Osage Indian Tribe consists of 2,229 members. They occupy one county in Oklahoma. They are known to be the richest tribe of Indians in the world. They had approximately 1,500,000 acres of land to allot. The allotment act provided for the allotment of the surface of this land and the retention of the oil rights to the tribe. As a result, from time to time the oil rights have been leased, and the bonus and royalties have gone to the tribe and is then divided into 2,229 parts. The production and the price of oil have both fallen off within the past year or two so that the amount each member of the tribe receives has fallen off somewhat during the current year. They have each received as high as \$12,000 a year from the bonus and the royalties.

As has been well said by the chairman of the subcommittee having this bill in charge, for a number of years Mr. J. George Wright has been superintendent of this agency. I think there is no more difficult position to fill in the entire Indian Service than this particular agency. He has, however, reached the retirement age. The time has been extended for one year. I endeavored to induce the department to extend it still further. I think there is no better

record made in the Indian Service, and I doubt if there is any better record made in any other branch of the service of the Government of the United States than that which has been made by Mr. Wright, the present superintendent. It is complained that he has a slight deafness. He is strong, he is vigorous, he is diligent, he is honest, he is courageous, and he is dependable. The Osage Indians petitioned the department to continue his services for another year. By reference to this bill it will be seen that the entire expenses of the administration of the Osages is taken out of their funds, and the item here is for \$259,000. As I had occasion to say before the committee, I deeply regret that favorable action was not taken by the department on the petition to continue the services of this superintendent for another year. I expressed then to the department that I believed they would find a mistake had been made when they place another man in charge of that agency who is not so familiar with all conditions there as is Mr. Wright. I thank the chairman of the subcommittee for the complimentary reference to Mr. Wright. His record justifies it, and I take this moment of the House to concur in what he said and to commend Mr. Wright and to say in conclusion that as he leaves the service, he leaves it with an unstained record.

The CHAIRMAN. Without objection, the pro forma amendment is withdrawn, and the Clerk will read.

The Clerk read as follows:

Appropriations herein made for road work and other physical improvements in the Indian Service shall be immediately available.

Mr. HASTINGS. Mr. Chairman, I move to strike out the last word, in order to invite the attention of the chairman of the subcommittee to the language on page 71, in the first three lines, and ask his interpretation of the words "other physical improvements," as to whether or not they have reference to all of the improvements made at the various Indian schools throughout the country?

Mr. CRAMTON. Mr. Chairman, I am very clear that that language would make immediately available any item in the bill for construction purposes, whether it is a fence or a building or any other construction work. It covers any construction work appropriated for in the Indian portion of the bill.

Mr. HASTINGS. Let me ask the gentleman with reference to these various improvements at the schools. There are a number of schools, and provision is made for dormitories, heating plants, and other buildings in connection with boarding schools. Would the language of the bill make this money immediately available for these purposes?

Mr. CRAMTON. Clearly it would.

Mr. HASTINGS. I want to make it clear that that is the intention of Congress.

Mr. CRAMTON. That is the intention of our committee.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn. The Clerk will read.

The Clerk read as follows:

For all expenditures authorized by the act of June 17, 1902 (32 Stat. p. 388), and acts amendatory thereof or supplementary thereto, known as the reclamation law, and all other acts under which expenditures from said fund are authorized, including not to exceed \$178,000 for personal services and \$27,000 for other expenses in the office of the chief engineer, \$25,000 for telegraph, telephone, and other communication service, \$7,000 for photographing and making photographic prints, \$54,000 for personal services, and \$12,000 for other expenses in the field legal offices; examination of estimates for appropriations in the field; refunds of overcollections and deposits for other purposes; not to exceed \$20,000 for lithographing, engraving, printing, and binding; purchase of ice; purchase of rubber boots for official use by employees; maintenance and operation of horse-drawn and motor-propelled passenger-carrying vehicles; not to exceed \$40,000 for purchase and exchange of horse-drawn and motor-propelled passenger-carrying vehicles; packing, crating, and transportation (including drayage) of personal effects of employees upon permanent change of station, under regulations to be prescribed by the Secretary of the Interior; payment of damages caused to the owners of lands or other private property of any kind by reason of the operations of the United States, its officers or employees, in the survey, construction, operation, or maintenance of irrigation works, and which may be compromised by agreement between the claimant and the Secretary of the Interior, or such officers as he may designate; payment for official telephone service in the field hereafter incurred in case of official telephones installed in private houses when authorized under regulations established by the Secretary of the Interior;

not to exceed \$1,000 for expenses, except membership fees, of attendance, when authorized by the Secretary, upon meetings of technical and professional societies required in connection with official work of the bureau; payment of rewards, when specifically authorized by the Secretary of the Interior, for information leading to the apprehension and conviction of persons found guilty of the theft, damage, or destruction of public property: *Provided*, That no part of said appropriations may be used for maintenance of headquarters for the Bureau of Reclamation outside the District of Columbia except for an office for the chief engineer and staff and for certain field officers of the division of reclamation economics: *Provided further*, That the Secretary of the Interior, in his administration of the Bureau of Reclamation, is authorized to contract for medical attention and service for employees and to make necessary pay-roll deductions agreed to by the employees therefor: *Provided further*, That no part of any sum provided for in this act for operation and maintenance of any project or division of a project by the Bureau of Reclamation shall be used for the irrigation of any lands within the boundaries of an irrigation district which has contracted with the Bureau of Reclamation and which is in arrears for more than 12 months in the payment of any charges due the United States, and no part of any sum provided for in this act for such purpose shall be used for the irrigation of any lands which have contracted with the Bureau of Reclamation and which are in arrears for more than 12 months in the payment of any charges due from said lands to the United States.

Mr. BLANTON. Mr. Chairman, I reserve the point of order on the paragraph. What authority in law is there for lines 22 and 23 on page 73?

Except for an office for the chief engineer and staff and for certain field officers of the division of reclamation economics.

Mr. CRAMTON. So far as I know, if you will omit the entire proviso, lines 19 to 23—

That no part of said appropriations may be used for maintenance of headquarters for the Bureau of Reclamation outside the District of Columbia except for an office for the chief engineer and staff and for certain field officers of the division of reclamation economics—

then the Bureau of Reclamation could remove its entire headquarters to the field and close its offices here in Washington.

Mr. BLANTON. Under what law could it do that?

Mr. CRAMTON. They are given instructions to carry on the work, and I know of no law that says that they must do any part of it in Washington.

Mr. BLANTON. Is it not a fact that the very purpose and intention of this entire proviso is to provide authority for them to establish offices away from Washington for the different engineer and field officers?

Mr. CRAMTON. Absolutely not. If the gentleman will permit me, I will tell him the purpose. I know of no law that requires them to maintain any part of their headquarters in Washington or any other particular place. A few years ago we found that they proposed to remove practically all of their principal offices to Denver. That did not appeal to our committee as desirable. It might be that Congress would want some information about a certain project and the papers were always out in Denver, and as a result our committee several years ago put in this proviso so as to prevent moving their offices, largely, to Denver. We did make an exception at their insistence in the office of the chief engineer, and later this division of reclamation economics, it being urged by them that the various projects in the field were so much more accessible from Denver than from Washington that a great deal of money in travel expense would be saved and increased efficiency would result. But I make the direct statement of my own knowledge that the purpose and effect of the item has been and is not to authorize them to take these named offices to Denver but to prevent their moving more.

Mr. BLANTON. But the gentleman, through his committee, does use the broad language of authorizing "certain field officers," without any limitation; and "certain field officers" may mean the entire corps, the number of which we do not know at this time.

Mr. CRAMTON. Without this language there would be no limit on the number they could move to Denver.

Mr. BLANTON. Well, I doubt that very seriously, because if this bureau could do it, every other bureau in the Government could move their headquarters out to San Francisco or Seattle or any place they wanted to.

Mr. CRAMTON. Any bureau of the Government that has been created by law, that does not require them to maintain headquarters in Washington, could move its headquarters from the Capital City, of course.

Mr. BLANTON. But the general enabling act for all of the departments requires them to keep their offices in Washington.

Mr. CRAMTON. Well, that is a question.

Mr. STAFFORD. Will my colleague yield?

Mr. CRAMTON. I yield.

Mr. STAFFORD. Has the chairman of the committee any information as to how extensive the division of reclamation economics is?

Mr. CRAMTON. It is not anywhere nearly as large as the engineering office.

Mr. STAFFORD. It is a very small division of the Reclamation Service?

Mr. CRAMTON. It is a very small division of the Reclamation Service.

Mr. BLANTON. But, how many officials could be included in this language of "certain field officers"?

Mr. CRAMTON. It is "certain field officers of the division of reclamation economics."

Mr. BLANTON. How many officers could be included in that language?

Mr. CRAMTON. It is not a large number, 10 or 12.

Mr. BLANTON. I think the language is clearly subject to a point of order, but, with that explanation, I shall not make the point of order. I withdraw the reservation of the point of order, Mr. Chairman.

Mr. STAFFORD. Mr. Chairman, I move to strike out the last word.

Information I believe would be received with interest by the committee as to the status of these various projects to which the Government contributes its share which are in default. Under the proviso found on page 74 the appropriation is limited to any project that has not been in default for more than 12 months in the payment of their charges. Can the gentleman from Michigan give a general statement as to what the status of payment on these reclamation projects is?

Mr. CRAMTON. As I remember, 96 per cent plus of the money due for construction is paid at this time. Ninety-eight per cent plus of the money due for operation and maintenance has been paid at this time. That is an approximate figure and is approximately correct.

Mr. STAFFORD. The gentleman's statement, I assume, also refers to the irrigation fund, in the second paragraph following, where you restrict the payment of funds to contractors who have not made their share of payment under the law?

Mr. CRAMTON. That is a different proposition. I may say, however, while that statement I have just made is a very encouraging statement as to percentage, that comes in part from action which Congress took in the adjustment act in making extensions, and so forth. There are certain payments that should have been made and are being withheld that run into enough money, so that the construction program of the Bureau of Reclamation, not for new projects to be undertaken but for the projects now under construction, is imperiled. In other words, the West, that is to be benefited, through their failure to pay what they owe, is now impeding the construction program of projects now under way.

Since 1927 the Reclamation Bureau has been carrying out a construction program, the principal purpose of which was to complete, within the next 10 years, projects only partly developed. At that time it was anticipated that oil revenues would provide a large part of the money, as the income from oil royalties had for several years varied from \$3,500,000 to \$6,500,000. These have diminished until, in 1929, this income was only \$1,800,000.

During this year and last year the crop incomes from reclamation projects have suffered from low prices. As a result the appropriations for construction have exceeded the income to meet those appropriations until now they are

faced with a situation where they must have a supplemental income from some other source, or suspend all new construction on works for which plans and estimates have been prepared and appropriations made.

During recent months conditions have prevented payments to the fund, which had been confidently anticipated. This is because of low prices of crops or because of readjustments in contract obligations. These payments will be ultimately made, but the net result is a temporary loss of income amounting to \$3,500,000, as follows:

Salt River project, Arizona.....	\$1,900,000
Yuma project, Arizona-California.....	500,000
Uncompahgre project, Colorado.....	200,000
North Platte project, Nebraska-Wyoming.....	250,000
Rio Grande project, New Mexico-Texas.....	350,000
Yakima project, Washington.....	200,000
Other projects.....	100,000

Mr. STAFFORD. As to the projects to which the gentleman refers, are they under the so-called Carey Act?

Mr. CRAMTON. No. What I am speaking of now is on the general reclamation projects.

Mr. STAFFORD. The statement which the gentleman made, that 96 per cent were meeting their obligations, while technically true is only true in the sense that the Government has postponed the payment of the necessary charges until a future date?

Mr. CRAMTON. That had its effect.

Mr. STAFFORD. Mr. Chairman, I withdraw the pro forma amendment.

The pro forma amendment was withdrawn.

The Clerk read as follows:

Minidoka project, Idaho: For operation and maintenance, reserved work, \$29,000; continuation of construction gravity extension unit, \$250,000, together with the unexpended balance of the appropriation for this purpose for the fiscal year 1931; for cleaning up Jackson Lake Reservoir in Wyoming, in cooperation with the National Park Service, \$50,000, either by direct expenditure or by transfer to the National Park Service to be available until expended: *Provided*, That the expenditure from the reclamation fund for such clean-up shall not be charged as a part of the construction or operation and maintenance cost payable by the water users under the project, but shall be offset and recouped from revenues from the rentals of storage from the reservoir: *Provided further*, That not to exceed \$50,000 from the power revenues shall be available during the fiscal year 1932, for the operation of the commercial system; and not to exceed \$125,000 from power revenues shall be available during the fiscal year 1932 for continuation of construction, south side division; in all, \$329,000.

Mr. ARENTZ. Mr. Chairman, I move to strike out the last word. Anyone who lives in the West knows that water is one of the most precious things on the public domain. There are several projects now being constructed which will control water passing through Indian reservations, and the thought I have to-day is this: In the district in which I live there is the Walker irrigation district, the Pyramid Lake Indian Reservation, and the Walker Indian Reservation, all of which were entitled, according to the Department of Justice, to a certain amount of water. Suits have been carried on against the white settlers for a matter of 10 years to take away from the white settlers the water which they filed on and which would ultimately deprive the Indians of water for the land that some day will be put under cultivation. All of these projects are under way, and on one in particular, the Owyhee project, in Oregon, there is an Indian reservation 100 miles or so up the river. In discussing the matter of where this reservation would obtain its water in future years I was told that when the Owyhee project is completed all the water of that river will be for the settlers who will take up land on the Owyhee project. I wonder if it is not true that either the Indian Service or the Department of Justice is sleeping on its rights. If they can begin suits against the white settlers who have used the water for 50 or 60 years and which is now claimed to belong to the Indians on the reservation for the use of land which will not be put under cultivation for many years, what will be the situation 10 or 15 years from now, or next year, when the Indians on the Owyhee River, in Duck Creek Valley, apply for water storage? Will the Federal Government sue itself for the water they have used and which they can not take back from the settlers on the Owyhee project?

It is a very interesting question which must receive the attention of not only the Bureau of Indian Affairs but the Department of Justice and by the Secretary of the Interior, because they are going to have to meet this question sooner or later. The Indians upon the Duck Valley Reservation in northern Elko County, Nev., sooner or later will require water for the land allotted to them in good faith by the Federal Government. Since the Government has put the white settlers on the Walker River to great expense by suits instituted years ago for the adjudication of water rights acquired by these settlers more than 70 years ago, it seems to me no more than an act of justice to both the Indians and whites at the Owyhee River to designate now when it can be done without cost to either party, the relative rights of whites who may hereafter settle on the Owyhee project and the Indians on the Duck Valley Reservation.

I take this occasion to draw this matter to the attention of the Secretary of the Interior, the Attorney General, and the Commissioner of Indian Affairs.

Mr. CRAMTON. Mr. Chairman, I think the gentleman was addressing his inquiry to me. The particular situation which the gentleman speaks about has been discussed, but it is a year or so since I have had any contact with it, so I can not speak at all of that situation. I know it has had consideration by the Indian Bureau, and I think by the Department of Justice.

My thought is this—although my views may not be of any value or weight whatever—that when we build the Owyhee project we build a dam, and if we have a legal right there so far as the immediate property is concerned, the reservoir site, we can build the dam. We will then impound the water and in that way we will be attempting to render a service in certain reclamation districts and to some land, the greater part of which is already in private ownership. I do not believe the action of the Government in building that reservoir and those canals is intended to or does in any way constitute a division of the rights in that watershed and any rights the Indians have as to water they will retain and will be able to enforce as against the Owyhee project. Of course, we must keep in mind the Supreme Court, which went so far in upholding the right of Indians to water as to hold, as I understand, that they can not be held to have slept on their rights, that the rights which they once had they still retain as against the whites, and that will be true as against the Owyhee project.

The CHAIRMAN. The time of the gentleman from Nevada has expired.

The pro forma amendment was withdrawn.

The Clerk read as follows:

Sun River project, Montana: The unexpended balance of the appropriation for continuation of construction for the fiscal year 1931 shall remain available for the fiscal year 1932, for the purposes for which originally appropriated and for drainage construction.

Mr. O'CONNELL. Mr. Chairman, I move to strike out the last word. I want to say to my friend from Michigan that I have offered the pro forma motion for the purpose of saying to the gentleman from Montana [Mr. LEAVITT] that I desire to congratulate him upon being one of the real leaders of the House, and upon the fact that he is able to get such splendid appropriations for Montana, the State he so conspicuously represents in the Congress of the United States. He is a real champion for the people of his State.

Mr. LEAVITT. I thank the gentleman.

Mr. STAFFORD. Mr. Chairman, I believe the Clerk is now reading from page 77.

The CHAIRMAN. Does the gentleman rise in opposition to the pro forma amendment?

Mr. STAFFORD. Yes. I rise in opposition to anything so I may get recognition.

The CHAIRMAN. The gentleman is recognized for that purpose.

Mr. STAFFORD. I wish to direct an inquiry as to the status of the Rio Grande project. We are appropriating in this bill \$475,000. How much have we appropriated heretofore, and how much will be required before the project is completed? There has been some discussion in years back

as to this great project on the Rio Grande in which, I believe, the Government of Mexico has some interest.

Mr. CRAMTON. This project has been building since 1905 and we spent up to the 30th of last June, \$13,200,000. There was a small charge-off there of \$296,000. The amount of construction yet to be carried on, as I understand, is not large. I do not have the figures at hand, but the project is substantially completed. Of the amount carried here, \$30,000 is for certain permanent improvement on the Elephant Butte district, but the greater amount, \$70,000, is for a drainage system.

Mr. STAFFORD. As I recall, a considerable part of this work is now being utilized by the owners of lands in that district.

Mr. CRAMTON. Oh, yes. This is one of the very successful projects; they have made a very good showing and there is a large acreage under cultivation. The gentleman will notice that last season the bureau was prepared to furnish water to 144,200 acres; the actual irrigation in 1929 was 139,775, so practically all the land under water is used.

Mr. STAFFORD. While I am on my feet, I will direct attention to the Yakima project, for which we are appropriating nearly \$800,000, the item being found on page 79, lines 16 to 21. Will that amount complete the project? I assume not.

Mr. CRAMTON. The gentleman will note that the new appropriation is only for operation and maintenance. There is a reappropriation of certain items from last year. Part of that is held up by the Cle Elum Reservoir until we can find somebody who will agree to pay for it. Some of these situations are complicated, and I will not endeavor to explain them, but there is a controversy there as to who shall be responsible for that supplemental water-supply construction.

Mr. STAFFORD. What will be the entire amount expended on that project with all of its divisions?

Mr. CRAMTON. The expenditures up to date are somewhat over \$6,000,000, and that very largely completes the project, outside, I understand, of this Cle Elum Reservoir, which is to be above \$1,000,000.

I want to retract that statement. There is a very large program for eventual extension of the project that runs as high as \$23,000,000.

Mr. STAFFORD. While the gentleman is on the subject, will the gentleman give the committee a statement as to how much money will be required of the National Government to complete all the projects now existent?

Mr. CRAMTON. I could only give the gentleman an off-hand statement. They had what they called a 10-year program that Secretary Work planned. It was not authorized by anybody else, but was a program that he worked out as a 10-year program. This was to just about take care of the projects that are now definitely decided upon. A 10-year program would run somewhere around \$10,000,000 a year, or \$100,000,000. This is not just accurate, but will give the gentleman some picture of it. I am told now that because of the slump in oil and the loss of revenue and the prospect they can not expect that much, they will not be able to keep to their 10-year program.

Mr. STAFFORD. Mr. Chairman, I withdraw my opposition to the pro forma amendment.

The pro forma amendment was withdrawn.

The Clerk read as follows:

Rio Grande project, New Mexico-Texas: For operation and maintenance, \$375,000; for continuation of construction, \$100,000; in all, \$475,000: *Provided*, That the unexpended balance of the appropriation for continuation of construction for the fiscal year 1931 shall remain available for the same purposes for the fiscal year 1932.

Mr. COLTON. Mr. Chairman, I move to strike out the last word. I would like to ask the chairman of the committee a question regarding this item. As I understand it, this project involves the use of an interstate or, rather, of an international stream. Is the chairman advised whether or not there has been any treaty negotiated agreeing upon the use of this water?

Mr. CRAMTON. It is my recollection that there was a treaty. I know when I visited the project that was explained to me, and I had the feeling then that we had been overliberal in our concessions to Mexico, but I do not trust my recollection to be sure as to whether there is a definite treaty that completely disposes of the question or not.

Mr. COLTON. I am very much interested in this because the question of international rights in these streams is of very great interest to us farther west, and there has been some talk that the whole question is in process of being negotiated. I am wondering if a treaty has already been negotiated.

Mr. CRAMTON. I may say that I find Doctor Mead's statement in the hearing is that—

Under international treaty provisions 60,000 acre-feet of water is delivered annually to the Republic of Mexico for the irrigation of 25,000 acres in Juarez Valley.

So there definitely is a treaty.

The pro forma amendment was withdrawn.

The Clerk read as follows:

Boulder Canyon project: For the continuation of construction of the Hoover Dam and incidental works in the main stream of the Colorado River at Black Canyon to create a storage reservoir, and of a complete plant and incidental structures suitable for the fullest economic development of electrical energy from the water discharged from such reservoir; to acquire by proceedings in eminent domain, or otherwise, all lands, rights of way, and other property necessary for such purposes; and for incidental operations; as authorized by the Boulder Canyon project act, approved December 21, 1928 (U. S. C., Supp. III, title 33, ch. 15A); \$15,000,000 to be immediately available and to remain available until advanced to the Colorado River Dam fund, which amount shall be available for personal services in the District of Columbia and for all other objects of expenditure that are specified for projects included in this act under the caption "Bureau of Reclamation" without regard to the limitations of amounts therein set forth: *Provided*, That of the amount hereby appropriated, not to exceed \$50,000, reimbursable, shall be available for investigation and reports as authorized by section 15 of the Boulder Canyon project act.

Mr. DOUGLAS of Arizona. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Arizona offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. DOUGLAS of Arizona: On page 83, in line 20, after the word "available," strike out all language through and including the word "act," in line 17 on page 84.

Mr. CRAMTON. Mr. Chairman, if the gentleman from Arizona [Mr. DOUGLAS] will permit, I would like to agree on time for debate on this paragraph and all amendments thereto, and if it is satisfactory I will ask unanimous consent that all debate on this paragraph and all amendments thereto close in 10 minutes, 5 minutes to the gentleman from Arizona and 5 minutes in defense of the item.

Mr. DOUGLAS of Arizona. Mr. Chairman, reserving the right to object, what might now be said about the contracts with which this item is associated under the provisions of the Boulder Canyon project act has already very largely been said, so whatever opposition I may have to this item will not at this time be predicated upon those contracts. As the gentleman recalls, there was considerable discussion of these contracts last spring. I have now another ground on which to base my opposition to this item, and I shall attempt to conclude as rapidly as it is possible for me to conclude. I shall try to do it in five minutes, but it is possible I may not be able to do it in five minutes.

Mr. CRAMTON. Then I will make my request that the time be 20 minutes. I recognize this is a matter of importance to the gentleman from Arizona. I do not want to cut him off without a proper opportunity to present his case, but at the same time we do want to finish the consideration of the bill to-day. Does the gentleman think 10 minutes would answer his purpose?

Mr. DOUGLAS of Arizona. I am quite certain 10 minutes would answer my purpose, but may I state it in this way, subject, of course, to the approval of the gentleman, that whatever time I occupy in urging this particular amendment be granted to the gentleman also, or to anyone to

whom the gentleman may elect to yield time, in equal amount?

Mr. CRAMTON. Then I make the request, Mr. Chairman, that debate on this paragraph and all amendments thereto be limited to 20 minutes, and it is my thought that the gentleman from Arizona will have 10 minutes of that time.

The CHAIRMAN. The gentleman from Michigan asks unanimous consent that all debate on this paragraph and all amendments thereto close in 20 minutes. Is there objection?

There was no objection.

Mr. DOUGLAS of Arizona. Mr. Chairman—

The CHAIRMAN. If the gentleman wishes to continue beyond five minutes, he will have to have unanimous consent.

Mr. DOUGLAS of Arizona. I ask unanimous consent for 10 minutes.

The CHAIRMAN. The gentleman from Arizona asks unanimous consent to proceed for 10 minutes. Is there objection?

There was no objection.

Mr. DOUGLAS of Arizona. Mr. Chairman and gentlemen of the committee, under the provisions of the Boulder Canyon project act the Secretary of the Interior is required, prior to the making of appropriations, to obtain contracts for the sale of power and water which will insure revenue, adequate in his judgment, to reimburse the United States for certain expenditures incident to the construction of the Boulder Canyon project.

Acting under the direction therein contained the Secretary of the Interior negotiated and executed three contracts. One was with the Department of Water and Power of the City of Los Angeles and the Southern California Edison Co. for lease of generating equipment to be installed at the project, and for the purchase of falling water with which electrical energy might be developed.

The second was with the metropolitan water district for the purchase of power. Under the provisions of that contract the city of Los Angeles was made the generating agent for the metropolitan water district. The third contract was with the metropolitan water district for the sale of water.

It was pointed out when the item for the construction of the Boulder Canyon project was included in the last deficiency bill that the city of Los Angeles was not bound by the terms of the contract with its department of water and power, that it had not submitted the contract to the qualified electors of the city of Los Angeles, and that therefore, because of the provisions of the constitution of California, it was not a party to the contract, could not be sued, that the United States could not attach its property, and, further, that the United States could not mandamus the city of Los Angeles to levy a special tax with which the obligations sought to be imposed under the contract might be met.

It was pointed out that the department of water and power of the city was irresponsible financially, that it did not then have the necessary financial strength to meet the obligation sought to be imposed, and that from its normal operations it could not in eight years accumulate resources to meet those obligations.

It was shown that the Department of Water and Power of the City of Los Angeles owns no property which may be attached by the United States in the event of default. It was pointed out that the department of water and power had no authority to tax and that therefore it could not be mandamus by the United States to levy a tax to provide the funds with which the obligations might be paid.

It was pointed out that the contract with the Department of Water and Power of the City of Los Angeles and the Southern California Edison Co. was therefore invalid and non-enforceable. It was pointed out that the validity of the contract with the metropolitan water district for power was contingent on the validity of the contract with the department of water and power of the city and that since the latter contract was invalid it followed that the contract with the metropolitan water district was likewise invalid.

It was pointed out and admitted by the Secretary of the Interior that the contract for the purchase of water was merely an option granting the right to the metropolitan water district to take and pay for water whenever at its election it chose to do so, but binding it to take and pay for nothing.

Since last spring when this item was discussed in the House and before the Committee on Appropriations the situation relative to the validity of these contracts has not changed. The city has taken no steps whatever to be bound under the contract; it has not submitted it to the qualified electors for their consent. There has been no election. It is therefore as free from the obligations of the contract now as it was then. The department of water and power of the city has made no provision to provide funds to meet the liabilities imposed. It is therefore as irresponsible to-day as it was then.

Nor has the metropolitan water district taken steps to provide the necessary financial resources to meet the obligations sought to be imposed upon it. The contract with respect to it is therefore as invalid as it was last spring. With respect of these contracts, each and everyone of them, therefore, is as nonenforceable and as invalid at this time as they were when the Congress appropriated the first item for the construction of the Boulder Canyon project, and it is just as speculative to-day that revenues will flow from those contracts as it was then.

There is, however, one respect in which the situation pertaining to Boulder Dam has changed. In October the State of Arizona filed a complaint in the Supreme Court of the United States against the remaining six States of the Colorado River Basin and the Secretary of the Interior, in which the validity of the entire Boulder Canyon project act is contested. It is probable that the Supreme Court will hold that the Boulder Canyon project act is repugnant to the Constitution of the United States and that the project authorized to be constructed therein can not as a matter of fact be constructed. It would be foolish, however, for any Member of Congress to prejudge the case now pending in the Supreme Court of the United States. I appreciate that the gentleman from California [Mr. SWING] will rise and declare that on the 12th of January or thereafter the court will dismiss the case, and yet I repeat that no Member of this House is justified in prophesying the action of the Supreme Court.

Mr. O'CONNELL. Has the case been argued yet?

Mr. DOUGLAS of Arizona. The answer is to be filed on the 12th day of January. The case is an important one, because, among other things, it strikes at the very fundamentals of the water law of the West, and no man can say that the court either will or will not dismiss it; that the court will or will not declare the act to be repugnant to the Constitution of the United States. Yet in the face of this pending litigation, in the face—and at least the gentleman from California will agree with me in this—of the possibility that the Supreme Court will declare the Boulder Canyon act to be invalid, there is carried in this bill an item of \$15,000,000.

We are suffering in this country to-day from an industrial depression of the first magnitude, from unemployment and suffering and poverty. We come to Congress seeking, as one of the methods by which this condition may be relieved, appropriations of money for immediate expenditure, so that men now out of work may be employed in the construction of roads and buildings and public structures, with respect to the construction of which no one raises the question of their constitutionality. As a result of such appropriations which we have in the past made and which doubtless we will make in the future, the cost of Government is continually mounting. Yet in spite of the mounting cost of Government, and in spite of the urgent necessity for appropriating money for immediate expenditure to employ men, we find in this act an item of \$15,000,000 which may never be expended, or which, if it may be expended, may be tied up for several years by the courts of the United States, so that

it can not be made available presently to relieve the existing condition.

I urge that this item be stricken from the bill; that the \$15,000,000 herein appropriated for the construction of a project which may never be constructed be saved for immediate expenditure on projects where men now out of employment may find it.

The complaint of the State of Arizona is as follows:

IN THE SUPREME COURT OF THE UNITED STATES, OCTOBER TERM, 1930
STATE OF ARIZONA, COMPLAINANT, v. STATE OF CALIFORNIA, STATE OF NEVADA, STATE OF UTAH, STATE OF NEW MEXICO, STATE OF COLORADO, STATE OF WYOMING, AND RAY LYMAN WILBUR, SECRETARY OF THE INTERIOR, DEFENDANTS

Motion for leave to file bill of complaint

The State of Arizona, appearing by its attorney general, respectfully moves and prays the court for leave to file its bill of complaint herewith submitted.

K. BERRY PETERSON,
*Attorney General of the State of Arizona,
Solicitor for Complainant.*
DEAN G. ACHESON,
CLIFTON MATHEWS,
Of Counsel.

Bill of complaint

The State of Arizona, appearing by its attorney general, by leave of court files this its bill of complaint and respectfully alleges:

I

The State of Arizona, complainant herein, and the States of California, Nevada, Utah, New Mexico, Colorado, and Wyoming, defendants herein, are States of the Union, duly admitted thereto, and exercising equal sovereignty with the original and all other States of the Union. Defendant Ray Lyman Wilbur is the Secretary of the Interior of the United States and is a citizen of the State of California.

II

The Colorado River rises in Colorado and flows in Colorado for a distance of 245 miles, thence in Utah for a distance of 285 miles, thence in Arizona for a distance of 292 miles, thence on the boundary between Arizona and Nevada for a distance of 145 miles, thence on the boundary between Arizona and California for a distance of 235 miles, thence on the boundary between Arizona and Mexico for a distance of 16 miles, thence in Mexico for a distance of 75 miles, and there enters the Gulf of California. Said river has a total length of 1,293 miles, of which 688 miles are in Arizona or on the boundary thereof. Lees Ferry is a point in the Colorado River 23 miles below the point where said river enters Arizona from Utah. Black Canyon is a point in said river 355 miles below Lees Ferry, and is in that part of said river which forms the boundary between Arizona and Nevada. Said river attains its greatest average annual flow at Black Canyon. Laguna Dam is a diversion dam in said river 276 miles below Black Canyon, and is in that part of said river which forms the boundary between Arizona and California. Said Laguna Dam is 13 miles above the city of Yuma and 18 miles above the point where said river becomes the boundary between Arizona and Mexico.

III

The principal tributaries of the Colorado River are the Gunnison River, which rises in Colorado and flows in Colorado for a distance of 160 miles, and there enters the Colorado River; the Green River, which rises in Wyoming and flows in Wyoming for a distance of 246 miles, thence in Utah for a distance of 56 miles, thence in Colorado for a distance of 35 miles, thence in Utah for a distance of 272 miles, and there enters the Colorado River; the San Juan River, which rises in Colorado and flows in Colorado for a distance of 61 miles, thence in New Mexico for a distance of 110 miles, thence in Utah for a distance of 130 miles, and there enters the Colorado River; the Little Colorado River, which rises in Arizona and flows in Arizona for a distance of 268 miles, and there enters the Colorado River; the Virgin River, which rises in Utah and flows in Utah for a distance of 83 miles, thence in Arizona for a distance of 30 miles, thence in Nevada for a distance of 60 miles, and there enters the Colorado River; the Williams River, which rises in Arizona and flows in Arizona for a distance of 132 miles, and there enters the Colorado River; and the Gila River, which rises in New Mexico and flows in New Mexico for a distance of 115 miles, thence in Arizona for a distance of 406 miles, and there enters the Colorado River. The Gila River enters the Colorado River 10 miles below Laguna Dam, 286 miles below Black Canyon and 641 miles below Lees Ferry. The Williams River enters the Colorado River between Laguna Dam and Black Canyon. The Virgin River and the Little Colorado River enter the Colorado River between Black Canyon and Lees Ferry. All the other tributaries above mentioned enter the Colorado River above Lees Ferry. Said tributaries have a total combined length of 2,164 miles, of which 836 miles are in Arizona. No tributaries enter the Colorado River from California, nor does California contribute any appreciable quantity of water to said river.

IV

The drainage basin of the Colorado River in the United States has a total area of 240,000 square miles, of which 103,000 square

miles are in Arizona, 4,000 square miles in California, 12,000 square miles in Nevada, 40,000 square miles in Utah, 23,000 square miles in New Mexico, 39,000 square miles in Colorado, and 19,000 square miles in Wyoming. Approximately 43 per cent of the total area of said basin is in Arizona and approximately 90 per cent of the total area of Arizona is in said basin.

V

From the point where it enters Arizona to the point where it enters Mexico the Colorado River has a fall of 3,230 feet, of which 2,200 feet occurs in Arizona, 650 feet on the boundary between Arizona and Nevada, 350 feet on the boundary between Arizona and California, and 30 feet on the boundary between Arizona and Mexico. That part of the Colorado River which flows in Arizona and on the boundary between Arizona and Nevada flows through an almost continuous series of deep canyons, the walls of which rise on each side of said river to a height varying from a few hundred feet to more than 5,000 feet, because of which said river in said canyon region is practically inaccessible. Throughout said canyon region there are numerous rapids, cataracts, and other natural obstructions, because of which, and because of the great fall and rapid flow of said river, navigation thereof in Arizona and on the boundary between Arizona and Nevada has always been, and is now, utterly impossible.

VI

That part of the Colorado River which flows on the boundary between Arizona and California and between Arizona and Mexico flows between comparatively low banks, is therefore easily accessible, and is comparatively free from rapids and cataracts, but is obstructed by numerous sand bars and is too shallow to permit of navigation. Said river carries great quantities of silt, which are constantly being deposited within and upon the bed thereof, and which, while so carried and after being so deposited, constitute a further obstacle to the navigation of said river. Another obstacle to the navigation of said river has resulted from the construction of said Laguna Dam by the Government of the United States and the diversion of great quantities of water from said river for irrigation and other purposes. Because of said conditions said river has never been and is not now a navigable river.

VII

The total average flow of the Colorado River and its tributaries in the United States is 18,000,000 acre-feet of water annually. Of said total flow, 9,000,000 acre-feet were appropriated and put to beneficial use in the United States prior to June 25, 1929, and said appropriated water has ever since been and is now being used and consumed. Of said appropriated water, 2,500,000 acre-feet are diverted annually from the Colorado River above Lees Ferry and from tributaries entering said river above Lees Ferry, and are used and consumed in Utah, New Mexico, Colorado, and Wyoming, and 6,500,000 acre-feet are diverted annually from said river below Lees Ferry and from tributaries entering said river below Lees Ferry, and are used and consumed in Arizona, California, Nevada, and New Mexico. Of the appropriated water so diverted below Lees Ferry, 3,500,000 acre-feet are annually diverted, used, and consumed in Arizona. Of the appropriated water so diverted, used, and consumed in Arizona, 2,900,000 acre-feet are diverted from the Gila River and its tributaries. Of the total flow of the Colorado River and its tributaries in the United States, 9,000,000 acre-feet were on June 25, 1929, ever since have been, and are now wholly unappropriated. All of said unappropriated water flows in Arizona and on the boundary thereof; all of it is needed and can be put to beneficial use in Arizona; and all of it is subject to appropriation under the laws of Arizona. Of said unappropriated water, 8,000,000 acre-feet are flowing in the main stream of the Colorado River and 1,000,000 acre-feet in tributaries entering said river between Lees Ferry and Laguna Dam. All of the water of the Gila River and its tributaries was appropriated and put to beneficial use in Arizona and New Mexico prior to June 25, 1929. There was not on said date, nor has there since been, nor is there now, any unappropriated water in the Gila River or any of its tributaries. To "appropriate" water means to take and divert a specified quantity thereof and put it to beneficial use in accordance with the laws of the State where such water is found, and, by so doing, to acquire, under said laws, a vested right to take and divert from the same source, and to use and consume, the same quantity of water annually forever, subject only to the rights of prior appropriators. Such is the sense in which the word "appropriate" and its derivatives are used in this bill of complaint.

VIII

All land in the drainage basin of the Colorado River is arid in character. In those parts of said basin which are susceptible of irrigation the average annual rainfall is as follows: In Arizona and California, less than 5 inches; in Nevada, 6 inches; in Wyoming, 7 inches; in Utah and New Mexico, 8 inches; in Colorado, 10 inches. Throughout said basin, in order to grow crops of any kind successfully, irrigation is necessary. Because of differences in soil, climate, rainfall, length of growing season, and other conditions the quantity of water required per acre varies in different parts of said basin. The average quantity of water per acre required annually for the purpose of irrigation is as follows: In Arizona and California, 4.5 acre-feet; in Nevada, 3 acre-feet; in Utah, New Mexico, Colorado, and Wyoming, 1.5 acre-feet.

IX

Because of the arid character of its land, irrigation is of the utmost importance to the State of Arizona. During the past 20 years the population of said State has increased from 204,000 to

421,000, and the assessed valuation of taxable property in said State has increased from \$83,769,000 to \$714,945,000. A great part of said increase in population and wealth has resulted from the constantly increasing use of irrigation in said State, and the consequent development of its agricultural land. The present welfare and prosperity of said State are largely the result of irrigation, and its future growth and progress are largely dependent upon the reclamation and irrigation of additional land in said State. In addition to the land now being irrigated, there are more than 2,000,000 acres of land in said State which are not now irrigated, but are susceptible of irrigation from the unappropriated water of the Colorado River and its tributaries, and which can not be irrigated by any other means or from any other source. All of said land is extremely fertile and, when irrigated, will be extremely productive. More than 200,000 acres of said land are owned and held by the State of Arizona. The irrigation of said land will require all of the unappropriated water of the Colorado River and its tributaries, aggregating 9,000,000 acre-feet annually, as aforesaid. Said land, although at present uncultivated and practically uninhabited, will, when irrigated, be capable of supporting a population of more than 500,000, and the irrigation of said land will add greatly to the wealth and taxable resources of the State of Arizona, and to the health, happiness, prosperity, and general welfare of its inhabitants. Because of the expense of constructing, maintaining, and operating the dams, reservoirs, canals, and other works required for the irrigation of said land, it will not be feasible to irrigate said land in small separate tracts, but it will be necessary to combine such tracts into large projects, each project being operated and administered as a single unit. The organization of such projects and the construction, maintenance, and operation of such dams, reservoirs, canals, and other works will require financing on a large scale, which will be impossible unless water for the irrigation of said land can be appropriated and vested rights to the permanent use thereof acquired at or prior to the time of constructing such works.

X

In that part of the Colorado River which flows in Arizona and on the boundary between Arizona and Nevada there are numerous sites suitable for the construction, maintenance, and operation of the dams and reservoirs required for the irrigation of the land referred to in paragraph 9 hereof. One of said sites is at Black Canyon, on the boundary between Arizona and Nevada. By utilizing said sites it would be possible and economically feasible to store in reservoirs situated in Arizona, or partly in Arizona and partly in Nevada, all of the water of the Colorado River, and to make all of said water available for irrigation. Said dam sites and reservoir sites are also suitable for the construction, maintenance, and operation of plants for the generation of electric power from the water to be stored in such reservoirs. All the water of the Colorado River flowing past said dam sites and reservoir sites, including both the unappropriated water and water appropriated for beneficial use below said sites, is subject to appropriation for the generation of electric power at said sites. By the use of such power plants and such stored water great quantities of electric power could be generated and sold for use in Arizona and elsewhere. The business and all property used in connection with the business of generating and selling such power would be subject to taxation and would yield substantial revenues to the State of Arizona, and the use of such power would add greatly to the welfare and prosperity of said State and its inhabitants. For the reasons aforesaid, the water of the Colorado River and the dam sites and reservoir sites above referred to constitute the greatest natural resource of the State of Arizona.

XI

Irrigation projects already formed and now in existence comprise more than 1,000,000 acres of the unirrigated but irrigable land referred to in paragraph IX hereof. More than 100,000 acres of the land in said irrigation projects are owned and held by the State of Arizona. None of the land in said projects is now irrigated, but all of it is susceptible of irrigation. The irrigation of said land is practicable and feasible at the present time, and definite plans have been made for the irrigation thereof. Such irrigation will require 4,500,000 acre-feet annually of the unappropriated water now flowing in the main stream of the Colorado River. Permits for the appropriation of said water have been granted by the State water commissioner of the State of Arizona. In order to appropriate and use said water for the irrigation of the land in said projects, it will be necessary to store said water by means of dams and reservoirs to be constructed and maintained in that part of the Colorado River which flows in Arizona and on the boundary between Arizona and Nevada, and to utilize for that purpose the dam sites and reservoir sites mentioned in Paragraph X hereof. Said plans contemplate the construction and use of such dams and reservoirs for the storage of the water to be used in irrigating said lands. There have also been formed and are now in existence certain power projects, whose purpose is to utilize said dam sites and reservoir sites for the generation and sale of electric power. Definite plans have been made for carrying out said purpose. The generation of said power will require the construction, maintenance, and operation of dams, reservoirs, and power plants at said sites. Plans and specifications therefor have been submitted to and approved by the State engineer of the State of Arizona. But for the passage of the Boulder Canyon project act hereinafter referred to, the work of constructing said dams and reservoirs for the irrigation of said lands and for the generation of said electric power would long since have commenced, and if said act shall be held unconstitu-

tional, as hereinafter prayed, said work will be immediately commenced and prosecuted to completion. Numerous persons and corporations desire to engage in the business of storing and selling water, and in the business of generating and selling electric power in Arizona, and to utilize said dam sites and reservoir sites, including the one at Black Canyon, for that purpose. Said businesses and the property used in connection therewith would be subject to taxation and would yield substantial revenues to the State of Arizona.

XII

The State of Arizona was admitted to the Union on February 14, 1912. Upon its admission to the Union said State acquired, has ever since possessed and exercised, and now possesses and exercises sovereign jurisdiction and control of all water within its boundaries, including the water of the Colorado River and its tributaries. The constitution of the State of Arizona provides that the common-law doctrine of riparian water rights shall not obtain or be of any force or effect in said State. Statutes of the State of Arizona, heretofore duly enacted and now in force, being sections 3280 to 3286, inclusive, of the Revised Code of 1928, and sections 1 and 3 of chapter 102 of the Session Laws of 1929, regulate and control the storage, diversion, appropriation and use of water, and the construction, operation, and maintenance of dams and reservoirs in said State. A copy of said statutes is appended hereto at page 43. Said statutes provide that all water flowing in streams or other natural channels belongs to the public and is subject to appropriation; that the person first appropriating water shall have the better right thereto; that any person intending to appropriate water shall apply to the State water commissioner for a permit to make such appropriation; that if such application is approved by said commissioner the applicant may appropriate such water and construct such works as may be necessary for that purpose; that if such application is rejected the applicant shall take no steps toward appropriating such water or constructing such works; that when any such application, or the proposed use of the water sought to be appropriated, is a menace to the safety or against the interests and welfare of the public, it shall be rejected; that all dams shall be under the jurisdiction of the State engineer; and that it shall be unlawful to construct, operate, or maintain any dam except upon the approval of said engineer. Under and by virtue of said statutes, all of the unappropriated water of the Colorado River and its tributaries, aggregating 9,000,000 acre-feet annually, was on June 25, 1929, ever since has been, and is now subject to appropriation in Arizona. Said water can not, nor can any part thereof, be lawfully appropriated, stored, diverted, used, or disposed of except as provided in said statutes.

XIII

Legislation was enacted in the year 1921 by the Legislatures of the States of Arizona, California, Nevada, Utah, New Mexico, Colorado, and Wyoming and by the Congress of the United States providing for the appointment of commissioners by the governors of said States and by the President of the United States, and authorizing such commissioners to negotiate a compact for the equitable apportionment of the water of the Colorado River and its tributaries, and to submit such compact to the legislatures of said States and to the Congress of the United States. Such commissioners were appointed and did draft and submit to said legislatures and to Congress a proposed compact entitled and hereinafter referred to as the Colorado River compact, a copy of which is appended hereto at page 50. Said compact provides that, as used therein, the term "Colorado River system" means that portion of the Colorado River and its tributaries within the United States; that the term "Colorado River basin" means all of the drainage area of said Colorado River system and all other territory within the United States to which the water of said system shall be beneficially applied; that the term "upper basin" means those parts of Arizona, Utah, New Mexico, Colorado, and Wyoming within and from which water naturally drains into said Colorado River system above Lees Ferry, and also all parts of said States located without said drainage area which are now or shall hereafter be beneficially served by water diverted from said system above Lees Ferry; that the term "lower basin" means those parts of Arizona, California, Nevada, Utah, and New Mexico within and from which water naturally drains into said Colorado River system below Lees Ferry, and also all parts of said States located without said drainage area which are now or shall hereafter be beneficially served by water diverted from said system below Lees Ferry; that there is apportioned from said Colorado River system, in perpetuity, to said upper basin and to said lower basin, respectively, the exclusive beneficial consumptive use of 7,500,000 acre-feet of water per annum, which shall include all water necessary for the supply of any rights which may now exist; that if the United States shall recognize any right in Mexico to the use of any water of said system, such water shall be supplied from water unappropriated by said compact; that further equitable apportionment of the water of said system unappropriated by said compact may be made at any time after October 1, 1963; that inasmuch as the Colorado River has ceased to be navigable for commerce, and the reservation of its water for navigation would seriously limit the development of its basin, the use of its water for purposes of navigation shall be subservient to the use of such water for domestic, agricultural, and power purposes; and that said compact shall become binding and obligatory when it shall have been approved by the legislatures of all the signatory States (Arizona, California, Nevada, Utah, New Mexico, Colorado, and Wyoming) and by the Congress of the United States.

LXXIV—41

XIV

Said Colorado River compact is grossly inequitable, unjust, and unfair to the State of Arizona, for the reasons and in the respects following, to wit:

(1) Said compact attempts to apportion to said upper basin more, and to said lower basin less, than an equitable share of the water of said Colorado River system. Said compact attempts to apportion to each of said basins the same quantity of water, to wit, 7,500,000 acre-feet annually, but said lower basin needs and can put to beneficial use more than twice the quantity of water which is needed or can be put to beneficial use in said upper basin. That part of said lower basin which is in Arizona needs and can put to beneficial use more than the total quantity of water which said compact attempts to apportion to said entire lower basin. Said lower basin includes practically all of Arizona. None of the water of said Colorado River system can be put to beneficial use in that part of Arizona which is in said upper basin. The 7,500,000 acre-feet of water which said compact attempts to apportion to each of said basins includes all water necessary to supply existing rights, which means all water heretofore appropriated and now being used. In said lower basin such appropriations amount to 6,500,000 acre-feet of water annually, whereas in said upper basin they amount to only 2,500,000 acre-feet annually. Thus said compact attempts to apportion to said lower basin only 1,000,000 acre-feet of unappropriated water, whereas it attempts to apportion to said upper basin 5,000,000 acre-feet of unappropriated water annually. Under said compact, said 5,000,000 acre-feet of unappropriated water could not, nor could any part of it, be appropriated in said lower basin. Thus said compact attempts to deprive the State of Arizona, its citizens, inhabitants, and property owners, of their right to appropriate said 5,000,000 acre-feet of unappropriated water, all of which is now subject to appropriation in Arizona.

(2) Said compact does not apportion or attempt to apportion all of the water of said Colorado River system, but attempts to apportion only 15,000,000 acre-feet thereof, and leaves unappropriated the remaining water of said system, aggregating 3,000,000 acre-feet annually. Said unappropriated water is a part of the unappropriated water of said Colorado River system. Said compact attempts to withdraw said unappropriated water from appropriation and to prohibit the appropriation thereof. This said compact attempts to do by providing that Mexican rights shall be supplied from said unappropriated water, and that said unappropriated water shall be subject to apportionment after October 1, 1963. Thus said compact attempts to deprive the State of Arizona, its citizens, inhabitants, and property owners of their right to appropriate said 3,000,000 acre-feet of unappropriated water, all of which is now subject to appropriation in Arizona.

(3) Said compact defines the term "Colorado River system" so as to include therein the Gila River and its tributaries, of which the total flow, aggregating 3,000,000 acre-feet of water annually, was appropriated and put to beneficial use prior to June 25, 1929. The State of New Mexico has but a slight interest, and the States of California, Nevada, Utah, Colorado, and Wyoming have no interest whatever in said water. Since said compact provides that the water apportioned thereby shall include all water necessary to supply existing rights, the effect of including the Gila River and its tributaries as a part of said system would be to reduce by 3,000,000 acre-feet annually the quantity of water now subject to appropriation in Arizona.

(4) Said compact defines the terms "Colorado River Basin," "upper basin," and "lower basin" so as to include therein not only the actual drainage basin of the Colorado River but also all parts of Arizona, California, Nevada, Utah, Colorado, New Mexico, and Wyoming outside of said drainage basin which are now or shall hereafter be beneficially served by water diverted from said Colorado River system. Thus said compact pretends to recognize and attempts to establish a right to use said water outside of the actual drainage basin of the Colorado River, which pretended right the State of Arizona expressly denies. Arizona is almost wholly within the actual drainage basin of the Colorado River. No part of Arizona outside of said drainage basin is or can be beneficially served by water diverted from said system. Hence the State of Arizona would not be benefited but would be greatly injured by including in said upper and lower basins areas situated outside of said drainage basin and served by water diverted from said Colorado River system. The effect of such inclusion would be to reduce the quantity of water now subject to appropriation in Arizona by such quantity as might be diverted for use in such outside areas.

For the reasons aforesaid, and for other good and sufficient reasons, the Legislature of the State of Arizona has never ratified or approved said compact, and said compact is therefore inoperative, void, and of no effect.

XV

On December 21, 1928, the Congress of the United States passed, and the President approved, an act entitled "An act to provide for the construction of works for the protection and development of the Colorado River Basin, for the approval of the Colorado River compact, and for other purposes." The short title of said act is "Boulder Canyon project act." A copy of said act is appended hereto at page 58. Said act provides in section 1 thereof that, for the purpose of controlling floods, improving navigation, regulating the flow of the Colorado River, and providing for the storage and delivery of the water thereof for reclamation of public lands and other beneficial uses, and for the generation

of electric power as a means of making the project therein authorized a self-supporting and financially solvent undertaking, the Secretary of the Interior, subject to the terms of the Colorado River compact, is authorized to construct, operate, and maintain a dam and incidental works in the main stream of the Colorado River at Black Canyon, adequate to create a storage reservoir of a capacity of not less than 20,000,000 acre-feet of water, and to construct, equip, operate, and maintain at or near said dam a complete plant and incidental structures suitable for the fullest economic development of electric power from the water discharged from said reservoir. Said dam and reservoir, if constructed, will be partly in Arizona and partly in Nevada, and will occupy one of the sites mentioned in paragraph X hereof. Said dam and reservoir will store all of the 8,000,000 acre-feet of unappropriated water now flowing in the Colorado River, all of which is now subject to appropriation in Arizona. Said act does not require the Secretary of the Interior to comply with the laws of the State of Arizona in carrying out the provisions of said act, but contemplates that he shall disregard said laws and proceed in violation thereof.

XVI

Said act further provides in section 1 thereof that the Secretary of the Interior is authorized to construct, operate, and maintain a canal and appurtenant structures connecting Laguna Dam with the Imperial and Coachella Valleys in California, and that no charge shall be made for water or for the use, storage, or delivery of water for irrigation or potable purposes in said Imperial or Coachella Valleys. Said canal and appurtenant structures will cost approximately \$40,000,000 and will be used for the purpose of diverting and conveying to said valleys in California, for use therein, the water to be stored in said reservoir, including the 8,000,000 acre-feet of unappropriated water now flowing in the Colorado River, all of which is now subject to appropriation in Arizona. Said canal and appurtenant structures will greatly aid and facilitate the diversion to and use of said water in California. Said act does not provide any similar facilities, or any facilities whatever, for the benefit of water users in Arizona, nor does said act exempt Arizona water users from the payment of charges for water or for the use, storage, or delivery of water for irrigation or potable purposes.

XVII

Said act provides in section 2 (b) thereof that the Secretary of the Treasury is authorized to advance, from time to time and within the appropriations therefor, such amounts as the Secretary of the Interior deems necessary for carrying out the provisions of said act, but that the aggregate amount of such advances shall not exceed the sum of \$165,000,000. Said act provides in section 3 thereof that there is authorized to be appropriated from time to time such sums of money as may be necessary to carry out the purposes of said act, not exceeding in the aggregate \$165,000,000.

XVIII

Said act provides in section 4 (a) thereof that it shall not take effect and that no authority shall be exercised thereunder unless and until (1) the States of Arizona, California, Nevada, Utah, New Mexico, Colorado, and Wyoming shall ratify the Colorado River compact, and the President by public proclamation shall so declare, or (2) if said States shall fail to ratify said compact within six months from the date of the passage of said act, then until six of said States, including the State of California, shall ratify said compact and consent to waive those provisions thereof which require its approval by the legislatures of all the signatory States, and shall approve said compact without conditions, save that of such 6-State approval, and the President by public proclamation shall so declare, and, further, until the State of California, by act of its legislature, shall agree irrevocably and unconditionally with the United States, for the benefit of the States of Arizona, Nevada, Utah, New Mexico, Colorado, and Wyoming, that the aggregate annual consumptive use of water of and from the Colorado River for use in California shall not exceed 4,400,000 acre-feet of the water apportioned to said lower basin by the Colorado River compact, plus not more than one-half of any excess or surplus water unapportioned by said compact, such uses always to be subject to the terms of said compact. The State of Arizona has not ratified or approved said compact, but the States of California, Nevada, Utah, New Mexico, Colorado, and Wyoming ratified said compact prior to June 25, 1929, and consented to waive those provisions thereof which require its approval by all the signatory States, and approved said compact without conditions, save that of such 6-State approval, and on said last-mentioned date the President of the United States by public proclamation so declared. The State of California, by an act of its legislature approved March 4, 1929, made the agreement provided for in section 4 (a) of said Boulder Canyon project act.

XIX

Said act further provides in section 4 (a) thereof that the States of Arizona, California, and Nevada are authorized to enter into an agreement which shall provide that of the 7,500,000 acre-feet of water apportioned to said lower basin by the Colorado River compact there shall be apportioned to the State of Nevada 300,000 acre-feet and to the State of Arizona 2,800,000 acre-feet for exclusive beneficial consumptive use in perpetuity; that all of the provisions of said proposed agreement shall be subject in all parts to the provisions of said compact; and that said proposed agreement shall take effect upon the ratification of said compact by the States of Arizona, California, and Nevada. Said proposed apportionment of 2,800,000 acre-feet of water is less than

the quantity of water already appropriated in Arizona, and would provide no water for future appropriation in said State. Thus, under said proposed agreement, the State of Arizona, its citizens, inhabitants, and property owners, would be deprived of their right to appropriate any of the unappropriated water of said Colorado River system, aggregating 9,000,000 acre-feet annually, all of which is now subject to appropriation in Arizona. The States of Arizona, California, and Nevada have not entered into said proposed agreement nor have they entered into any agreement whatsoever.

XX

Said act provides in section 4 (b) thereof that, before any money is appropriated for the construction of said dam or power plant, or any construction work done or contracted for, the Secretary of the Interior shall make provision for revenues, by contract, in accordance with the provisions of said act, adequate in his judgment to insure payment of all expenses of operation and maintenance of said works incurred by the United States, and the repayment, within 50 years from the date of the completion of said works, of all amounts advanced by the United States for the construction of said works—other than said canal and appurtenant structures—together with interest thereon at the rate of 4 per cent per annum. The facts regarding the pretended contracts by which said Secretary has attempted to provide such revenues are set forth in paragraphs 32 and 33 hereof. By an act approved July 3, 1930, and known as the second deficiency act, fiscal year 1930, Congress appropriated the sum of \$10,660,000 for the commencement of construction of said dam and incidental works.

XXI

Said Boulder Canyon project act provides in section 5 thereof that said Secretary is authorized, under such general regulations as he may prescribe, to contract for the storage of water in said reservoir, for the delivery thereof for irrigation, domestic use, and generation of electric power, and for the delivery thereof to States, municipal corporations, political subdivisions, and private corporations, upon charges that will provide revenue which, in addition to other revenue accruing under the reclamation law and under said act, will in his judgment cover all expenses of operation and maintenance incurred by the United States on account of works constructed under said act, and the payments to the United States provided for in section 4 (b) thereof; that contracts respecting water for irrigation and domestic use shall be for permanent service; and that no person shall have or be entitled to the use of the water stored in said reservoir except by contract with said Secretary. The effect of said act would be to withdraw from appropriation all of the water to be stored in said reservoir, including the 8,000,000 acre-feet of unappropriated water now flowing in the Colorado River, all of which is now subject to appropriation in Arizona; to prohibit the appropriation of said water; and to prohibit the use thereof, except by contract with the Secretary of the Interior. Under said act said Secretary could not be required to deliver or to contract for the delivery of any of said water for use in Arizona, but could, if so minded, refuse to deliver or to contract for the delivery of any such water for any such use, and could thus withhold all of said water from use in Arizona. If said Secretary should choose to deliver or to contract for the delivery of any of said water for use in Arizona, he would be required by said act to make a charge for the storage and delivery of such water for such use, but said act does not require or permit said Secretary to make any charge for the storage or delivery of water for use in the Imperial and Coachella Valleys of California, it being expressly provided in section 1 of said act that no such charge shall be made. In authorizing said Secretary to contract for the delivery of said stored water, said act does not restrict the use thereof to the drainage basin of the Colorado River, but permits said Secretary to contract for the delivery of said water for use outside of said basin.

XXII

Said act further provides in section 5 thereof that after repayment to the United States of all money advanced, with interest, charges shall be on such basis as may hereafter be prescribed by Congress; that the revenues derived therefrom shall be kept in a separate fund to be expended in said Colorado River Basin; and that general and uniform regulations shall be prescribed by said Secretary for the awarding of contracts for the sale and delivery of electric power and for renewal of such contracts.

XXIII

Said act provides in section 6 thereof that said dam and reservoir shall be used, first, for river regulation, improvement of navigation, and flood control; second, for irrigation and domestic uses and satisfaction of present perfected rights; and, third, for power; that the title to said dam, reservoir, power plant, and incidental works shall forever remain in the United States; that the United States shall, until otherwise provided by Congress, control, manage, and operate the same; that said Secretary may lease a unit or units of said power plant, with the right to generate electric power, or may lease the use of water for the generation of such power. Said act does not provide for the levy or collection by the State of Arizona of any tax or taxes on said dam, power plant, and other works, or on the operation thereof, but contemplates that the same shall be exempt from all taxation. The effect of said act would be to have said Secretary, on behalf of the United States, engage in the business of storing and selling water, the business of generating and selling electric power, and the business of leasing water and equipment for the generation of such power; to utilize for that purpose the water and other natural resources of the State of Arizona; to prevent

the use of said water and natural resources by other persons or corporations desiring to engage in such businesses; and thus to deprive said State of its right to levy and collect taxes on such businesses and on the property used in connection therewith.

XXIV

Said act provides in section 8 (a) thereof that the United States, its permittees, licensees, and contractors, and all users and appropriators of water stored, diverted, carried, or distributed by said reservoir, canals, and other works shall observe and be subject to and controlled by the Colorado River compact in the construction, management, and operation of said reservoir, canals, and other works and in the storage, diversion, delivery, and use of water for the generation of power, irrigation, and other purposes, anything in said act to the contrary notwithstanding; and that all permits, licenses, and contracts shall so provide. The pretended contracts hereinafter referred to do so provide.

XXV

Said act provides in section 13 thereof that the Colorado River compact is approved by the Congress of the United States, that those provisions of said compact which require its approval by the legislatures of all the signatory States are waived, and that said approval by Congress shall become effective when the State of California and at least five of the other signatory States shall approve said compact and consent to said waiver. The States of California, Nevada, Utah, New Mexico, Colorado, and Wyoming have approved said compact and consented to said waiver. Thus the effect of said act would be to subject the State of Arizona to said compact, and to enforce said compact and make it effective in Arizona, notwithstanding said State has never ratified or approved said compact.

XXVI

Said act further provides in section 13 thereof that the rights of the United States in or to the water of the Colorado River and its tributaries, and the rights of those claiming under the United States, shall be subject to and controlled by the Colorado River compact; that all patents, grants, contracts, concessions, leases, permits, licenses, rights of way, or other privileges from the United States or under its authority necessary or convenient for the use of said water, or for the generation of electric power by means thereof, or for the transmission of such power, shall be upon the express condition and with the express covenant that the rights of the recipients or holders thereof shall be subject to and controlled by said compact; and that said conditions and covenants shall be deemed to run with the land, and shall attach as a matter of law, whether set out or referred to in the instrument evidencing such patent, grant, contract, concession, lease, permit, license, right of way, or other privilege, or not, and shall be deemed to be for the benefit of and be available to the States of Arizona, California, Nevada, Utah, New Mexico, Colorado, and Wyoming, and the users of water therein or thereunder, by way of suit, defense, or otherwise, in any litigation respecting the water of the Colorado River or its tributaries. All lands in Arizona are owned and held either by the United States or by those claiming under the United States. All rights to the use of water for irrigation in Arizona are appurtenant to land, and such rights have no existence separate and apart from the land to which they are appurtenant. Consequently, the water of the Colorado River and its tributaries can not be used for irrigation in Arizona except by those holding land under patents, grants, contracts, concessions, leases, permits, or licenses from the United States or under its authority. Moreover, in order to irrigate Arizona land, it is frequently necessary to utilize rights of way over public land of the United States. Thus, under said act, all users of water for irrigation in Arizona would be subjected to the Colorado River compact, notwithstanding said State has never ratified or approved said compact.

XXVII

Said act provides in section 16 thereof that any commission or commissioner duly authorized under the laws of any State ratifying the Colorado River compact shall have the right to act in an advisory capacity to and in cooperation with the Secretary of the Interior in the exercise of any authority under the provisions of sections 4 and 5 of said act, and shall at all times have access to records of all Federal agencies empowered to act under said sections, and shall be entitled to have copies of said records on request. Duly authorized commissions and commissioners of the States of California, Nevada, Utah, New Mexico, Colorado, and Wyoming have exercised and are exercising the rights and privileges conferred by said section 16.

XXVIII

Said Boulder Canyon project act is in excess of the powers granted to Congress by the Constitution of the United States and is unconstitutional and void, for the reasons following, to wit:

(1) Said act attempts to deprive the State of Arizona of its sovereign jurisdiction and control of the water and other natural resources of said State, particularly the water of the Colorado River and its tributaries flowing in said State and the dam sites and reservoir sites situated therein; to vest such jurisdiction and control in the United States; to abrogate and supersede the laws of said State respecting the appropriation and use of said water and other natural resources; and to prohibit such appropriation and use, except as authorized and provided for in said act.

(2) Said act attempts to subject the State of Arizona to the Colorado River compact and to enforce said compact and make it effective in Arizona, notwithstanding said State has never ratified or approved said compact. Thereby said act attempts to deprive

said State, its citizens, inhabitants, and property owners of their right to appropriate the 5,000,000 acre-feet of unappropriated water which said compact attempts to apportion to said upper basin, and of their right to appropriate the 3,000,000 acre-feet of unappropriated water which said compact leaves unappropriated and attempts to withdraw from appropriation, as aforesaid. Said 5,000,000 acre-feet of apportioned water and said 3,000,000 acre-feet of unappropriated water are a part of the unappropriated water of said Colorado River system, all of which is now subject to appropriation in Arizona.

(3) Said act attempts to authorize the Secretary of the Interior to construct, operate, and maintain a dam and reservoir in the Colorado River at Black Canyon; to store in said reservoir the 8,000,000 acre-feet of unappropriated water now flowing in said river, all of which is now subject to appropriation in Arizona; to withhold all of said water from appropriation and to prohibit the appropriation thereof; to withhold all of said water from use in Arizona, or, if he permits any such use, to require payment of such charges therefor as he may prescribe; and to sell and dispose of any part or all of said water for use in other States, even to the extent of selling and delivering it for use outside of the drainage basin of the Colorado River, all of which is to be done without the consent of the State of Arizona and in violation of its laws. Thereby said act attempts to deprive the State of Arizona, its citizens, inhabitants, and property owners, of their right to appropriate said 8,000,000 acre-feet of unappropriated water, and of their right to use any of said water in Arizona, except by contract with the Secretary of the Interior and upon payment of such charges as he may prescribe.

(4) Said act attempts to discriminate against the State of Arizona in favor of the State of California by providing that the water to be stored in said reservoir shall be delivered without charge for use in the Imperial and Coachella Valleys in California, whereas all water users in Arizona are required to pay for said stored water such charges as the Secretary of the Interior may prescribe, and by providing a canal and other facilities to enable water users in California to divert and use said water, whereas no similar facilities, nor any facilities whatever, are provided for the benefit of water users in Arizona. Thereby said act attempts to aid and facilitate the use of said stored water in California, and to hinder and prevent the use thereof in Arizona. Said stored water will include the 8,000,000 acre-feet of unappropriated water now flowing in the Colorado River, all of which is now subject to appropriation in Arizona.

(5) Said act attempts to authorize the Secretary of the Interior, on behalf of the United States, to engage in the business of storing and selling water, the business of generating and selling electric power and the business of leasing water and equipment for the generation of such power; to utilize for that purpose the water and other natural resources of the State of Arizona; to prevent the use of said water and natural resources by other persons or corporations desiring to engage in such businesses; and to deprive said State of its right to levy and collect taxes on such businesses and on the property used in connection therewith.

The power to do all or any of the things so attempted by said act has not been granted to Congress by the Constitution of the United States.

XXIX

The recital in said act that the purpose thereof is the improvement of navigation and the reclamation of public land is a mere subterfuge and false pretense. That the improvement of navigation is not the purpose of said act is evident from the fact that the Colorado River is not navigable, and from the further fact that said act ratifies and approves the Colorado River compact, and provides that the United States shall observe and be subject to and controlled by said compact in the construction, management, and operation of said reservoir, canals, and other works, and the storage, diversion, delivery, and use of water for the generation of power, irrigation, and other purposes, anything in said act to the contrary notwithstanding, and from the further fact that said compact provides that, inasmuch as the Colorado River has ceased to be navigable for commerce, and the reservation of its water for navigation would seriously limit the development of its basin, the use of its water for purposes of navigation shall be subservient to the use of such water for domestic, agricultural, and power purposes. Even if said river were navigable, the diversion, sale, and delivery of water therefrom, as authorized in said act, would not improve, but would destroy its navigable capacity. That the reclamation of public land is not the purpose of said act is evident from the fact that 75 per cent of all land which will or can be reclaimed or benefited by the construction of the dam, reservoir, power plant, and other works authorized in said act, or by the storage and delivery of water as in said act provided, is privately owned land. Except for the purpose of having the Secretary of the Interior engage in the water and power business, as hereinabove alleged, the dam, reservoir, power plant, and other works provided for in said act are unnecessary and inappropriate. If reclamation of public land were the true purpose of said act, a dam and reservoir having one-fifth of the capacity and requiring one-fifth of the expenditure authorized in said act would accomplish said purpose as adequately and efficiently as the dam, reservoir, and other works therein authorized.

XXX

Notwithstanding the unconstitutionality of said act, defendant Ray Lyman Wilbur, Secretary of the Interior, has proceeded and is now proceeding thereunder, and has threatened and now threatens to enforce and carry out the provisions of said act, and, unless

enjoined therefrom, will enforce and carry out all of said provisions, and will thereby accomplish and effect all of the things attempted by said act, as set forth in paragraph XXVIII hereof. Pursuant to and under color of said act, said defendant has seized and taken possession of all that part of the Colorado River which flows in Arizona and on the boundary thereof, and all of the water flowing in said river, including the 8,000,000 acre-feet of unappropriated water now flowing therein, and all of the dam sites and reservoir sites mentioned in paragraph X hereof, and now has said river, said water and said sites in his possession; has excluded and is now excluding the State of Arizona, its citizens, inhabitants, and property owners from said river, said water, and said sites, and from all access thereto; has prevented and is now preventing said State, its citizens, inhabitants, and property owners from appropriating any of said 8,000,000 acre-feet of unappropriated water, all of which is now subject to appropriation in Arizona; has thereby prevented and is now preventing the irrigation of the land in the irrigation projects mentioned in paragraph XI hereof; and, unless enjoined therefrom, will continue so to do.

XXXI

Pursuant to and under color of said act, said defendant, Ray Lyman Wilbur, has made surveys, plans, and specifications for, and has commenced, the construction of the dam, reservoir, power plant, and other works provided for in said act. According to said plans and specifications, said dam will have a height of 727 feet, said reservoir will have a storage capacity of 29,500,000 acre-feet, and said power plant will have a generating capacity of 1,200,000 horsepower. Also, pursuant to and under color of said act, said defendant has made and prescribed general regulations respecting contracts for the storage of water in said reservoir and for the delivery thereof for irrigation and domestic use. A copy of said regulations is appended hereto at page 78. Said regulations provide that water stored in said reservoir will be sold upon such terms and conditions as the Secretary of the Interior may fix from time to time, but that no charge shall be made for water, or for the use, storage, or delivery of water for irrigation or potable purposes in the Imperial or Coachella Valleys of California; that no person shall have or be entitled to the use of any water stored in said reservoir, except by contract made in pursuance of said regulations; that contracts respecting water for domestic use shall be for permanent service; and that all purchases of water shall be subject to the terms and provisions of the Colorado River compact and of the Boulder Canyon project act.

XXXII

Pursuant to and under color of said act and of said regulations, said defendant Ray Lyman Wilbur has made a pretended contract with the Metropolitan Water District of Southern California, a municipal corporation of the State of California, for the storage of water in said reservoir and for the diversion, sale, and delivery of said water to said district for transportation to and consumptive use in said district. A copy of said pretended contract is appended hereto at page 79. Said district consists of the city of Los Angeles and the municipalities of Anaheim, Beverly Hills, Burbank, Colton, Glendale, Pasadena, San Bernardino, San Marino, Santa Ana, and Santa Monica, which are municipal corporations of the State of California. Said district is situated on the Pacific coast approximately 300 miles distant from the Colorado River and outside of its drainage basin. No public land of the United States is contained within the limits of said district. Said pretended contract is for permanent service, and provides for the delivery to said district of 1,050,000 acre-feet of said stored water annually, and for the payment by said district of 25 cents per acre-foot for water so delivered. Said 1,050,000 acre-feet of water, if sold and delivered to said district, as in said pretended contract provided, can not, nor can any part thereof, be used for the reclamation of public land of the United States. Said water is a part of the 8,000,000 acre-feet of unappropriated water now flowing in the Colorado River, all of which is now subject to appropriation in Arizona. Said 1,050,000 acre-feet of water, together with the 6,500,000 acre-feet of water heretofore appropriated and now being used in said lower basin, will exceed the full amount of 7,500,000 acre-feet of water which said compact attempts to apportion to said lower basin. The delivery of said 1,050,000 acre-feet of water to said district, as in said pretended contract provided, would exhaust said apportionment, and, by the terms of said compact and of said Boulder Canyon project act, no water would then be available for or subject to appropriation in said lower basin, although there would still remain in said Colorado River system 7,950,000 acre-feet of unappropriated water per year. Thus the effect of carrying out the provisions of the Boulder Canyon project act and of said pretended contract would be to deprive the State of Arizona, its citizens, inhabitants, and property owners of their right to appropriate any of the unappropriated water of said Colorado River system, aggregating, as aforesaid, 9,000,000 acre-feet annually, all of which is now subject to appropriation in Arizona.

XXXIII

Pursuant to and under color of said act, said defendant, Ray Lyman Wilbur, has made and prescribed general regulations for the lease of electric power to be generated at said dam. A copy of said regulations is appended hereto at page 89. Pursuant to and under color of said act and of said regulations, said defendant has made a pretended contract with said city of Los Angeles and Southern California Edison Co. (Ltd.), a corporation of the State of California, for the lease of power privileges at said dam, and a pretended contract with said Metropolitan Water District of Southern California for the sale of electric power to be gener-

ated at said dam. Said pretended contract for the lease of power privileges provides for the leasing of certain generating machinery to be installed by said defendant, part to said city and part to said company; for the generation by said lessees of all electric power allotted by said defendant; for the delivery to said lessees of falling water from said reservoir sufficient to generate all power so sold; for the sale to said lessees, respectively, of amounts of electric power specified therein; and for the payment by said lessees of the cost of said machinery, and certain further sums on account of electric power to be taken by said lessees. Said pretended contract is for a period of 50 years. The pretended contract with said district in this paragraph referred to provides for the sale to said district of specified amounts of electric power annually for a period of 50 years. Said power is to be used for the sole purpose of pumping into and in a proposed aqueduct, to be constructed by said district, the 1,050,000 acre-feet of water to be sold and delivered to said district, as provided in the pretended contract referred to in the last preceding paragraph hereof. The three pretended contracts hereinabove referred to are made upon the express condition that all rights thereunder shall be subject to and controlled by the Colorado River compact. For the reasons heretofore stated, all of said pretended contracts are void and of no effect. Nevertheless, said defendant, unless enjoined therefrom, will carry out all the provisions of said pretended contracts.

XXXIV

Said defendant, Ray Lyman Wilbur, has not complied and will not comply with the laws of the State of Arizona referred to in paragraph 12 hereof, but has disregarded and will wholly disregard said laws in carrying out the provisions of said act. Said defendant has not applied and will not apply to the State water commissioner of the State of Arizona for a permit authorizing the construction of said dam, reservoir, power plant, or other works, or the storage, use, diversion, sale, or delivery of the water to be stored in said reservoir, nor has any such permit been granted. Said defendant has not applied and will not apply to the State engineer of the State of Arizona for his approval of said dam and reservoir, nor has any such approval been granted.

XXXV

Pursuant to and under color of said act the States of California, Nevada, Utah, New Mexico, Colorado, and Wyoming, defendants herein, have caused and are causing their duly authorized commissions and commissioners to act, and said commissions and commissioners have acted and are acting in an advisory capacity to and in cooperation with said defendant, Ray Lyman Wilbur, in the exercise of the authority vested or attempted to be vested in him by sections 4 and 5 of said act. Said defendant States, by their said commissions and commissioners, have claimed and are claiming an interest in the three pretended contracts made by said defendant, Ray Lyman Wilbur, as hereinabove alleged, for that, after repayment to the United States of all money advanced, with interest, the revenues to be derived from said pretended contracts are to be kept in a separate fund and expended within the Colorado River Basin, as provided in said section 5, and said defendant States have claimed and are claiming an interest in said fund. Also, pursuant to and under color of said act, said defendant States have claimed and are claiming that the Colorado River compact became effective when approved by Congress and by said defendant States, and that the State of Arizona, its citizens, inhabitants, and property owners, are subject to and controlled by said compact, notwithstanding said State has never ratified or approved said compact. Said defendant States have also aided and abetted, are aiding and abetting, and, unless enjoined therefrom will continue to aid and abet said defendant, Ray Lyman Wilbur, in carrying out the provisions of said act.

XXXVI

If the defendants shall enforce and carry out the provisions of said act and of said pretended contracts the State of Arizona, its citizens, inhabitants, and property owners, will be thereby prevented from appropriating any of the unappropriated water of the Colorado River and its tributaries, aggregating 9,000,000 acre-feet annually, all of which is now subject to appropriation in Arizona, and from using any of said unappropriated water, except in accordance with and subject to the Colorado River compact, and from using any of the 8,000,000 acre-feet thereof now flowing in the main stream of said river, except by contract with the Secretary of the Interior and upon payment of such charges as he may prescribe; it will be impossible to appropriate water for the irrigation of the whole or any part of the 2,000,000 acres of unirrigated but irrigable land referred to in paragraphs IX, X, and XI hereof; it will be impossible to finance the irrigation projects referred to in said paragraphs, or any other irrigation project in Arizona, or to construct the dams, reservoirs, canals, and other works necessary for the irrigation of the whole or any part of said land; all of said land will remain forever unirrigated, uncultivated, uninhabited, unused, and incapable of use; it will be impossible for the power projects mentioned in said paragraph XI to carry out their plans for generating and selling electric power at plants to be constructed at the sites mentioned in said paragraphs X and IX; the great increase in population, wealth, prosperity, and taxable resources of said State which would have resulted from the irrigation of said land and from the use of said power sites will be prevented and made impossible; and said State will thereby suffer great and irreparable injury, for which it has and can have no adequate remedy at law.

Wherefore your complainant prays that the Colorado River compact and the Boulder Canyon project act, and each and every part

thereof, be decreed to be unconstitutional, void, and of no effect; that the defendants and each of them be permanently enjoined and restrained from enforcing or carrying out said compact or said act, or any of the provisions thereof, and from carrying out the three pretended contracts hereinabove referred to, or any of them, or any of their provisions, and from doing any other act or thing pursuant to or under color of said Boulder Canyon project act; and that the State of Arizona recover its costs herein expended and have such other and further relief as to this court may seem just and equitable.

K. BERRY PETERSON,
Attorney General of the State of Arizona,
Solicitor for Complainant.
DEAN G. ACHESON,
CLIFTON MATHEWS,
Of Counsel.

The CHAIRMAN. The time of the gentleman from Arizona has expired.

Mr. TAYLOR of Colorado. Mr. Chairman, I ask unanimous consent to be allowed to speak for 10 minutes, with the understanding that I may yield to the gentleman from California [Mr. SWING] five minutes of that time, in opposition to the motion.

Mr. LA GUARDIA. The gentleman can not yield, under the rule.

The CHAIRMAN. Does the gentleman from Michigan desire any portion of the time?

Mr. CRAMTON. No; the gentleman from Colorado will represent the committee.

The CHAIRMAN. The Chair does not understand that the gentleman from Colorado can yield time in the committee.

Mr. TAYLOR of Colorado. I asked for 10 minutes in opposition to this, and I thought the understanding was that debate was to be limited to 20 minutes.

The CHAIRMAN. Debate is limited to 20 minutes. The gentleman from Colorado asks unanimous consent to proceed for 10 minutes. That will exhaust the entire time of debate.

Mr. DOUGLAS of Arizona. Mr. Chairman, reserving the right to object, do I understand that these 10 minutes which are requested by the gentleman from Colorado are the identical 10 minutes reserved by the gentleman from Michigan [Mr. CRAMTON]?

The CHAIRMAN. It will exhaust the debate on this paragraph.

Mr. DOUGLAS of Arizona. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD and to insert therein the complaint of the State of Arizona.

The CHAIRMAN. The gentleman from Colorado has the floor and asks unanimous consent to proceed for 10 minutes. Is there objection?

Mr. TAYLOR of Colorado. Mr. Chairman, I want to take the 10 minutes of time, but instead of using it all myself I ask unanimous consent that I may be permitted to yield five minutes of it to the gentleman from California [Mr. SWING].

Mr. SWING. I shall ask for five minutes in my own right.

The CHAIRMAN. Does the gentleman from Colorado desire recognition? Recognition will be for five minutes at a time unless otherwise provided.

Mr. SWING. I ask recognition, Mr. Chairman.

Mr. O'CONNELL. It is my understanding that the debate was fixed so that it would be limited to 20 minutes.

The CHAIRMAN. That is correct. The debate is limited to 20 minutes. Recognition is in the control of the Chair. Anyone, in order to continue longer than five minutes, can do so only by unanimous consent, but no member in the committee getting time for debate can yield any part of his time to anyone else.

Mr. TAYLOR of Colorado. Then, I withdraw my request for the present and let the gentleman from California make his request.

The CHAIRMAN. The gentleman from Arizona asks unanimous consent to extend his remarks in the RECORD and to include therein the complaint of the State of Arizona filed in the pending litigation. Is there objection?

Mr. SWING. Mr. Chairman, reserving the right to object, merely to point out for the information of members,

in addition to the complaint there are added as appendixes some five or six rather lengthy documents, most of which have already been published in the CONGRESSIONAL RECORD and in hearings that are filed. Does the gentleman desire to have these appendixes also published in the CONGRESSIONAL RECORD?

Mr. DOUGLAS of Arizona. It is not at all necessary.

Mr. SWING. Then, I withdraw my reservation of objection.

The CHAIRMAN. Is there objection to the request of the gentleman from Arizona?

There was no objection.

Mr. SWING. Mr. Chairman, I ask for recognition.

The CHAIRMAN. The gentleman from California is recognized for five minutes.

Mr. SWING. Mr. Chairman and gentlemen of the committee, Arizona alone of the seven Colorado River Basin States stands here to-day protesting against the forward movement of a great humanitarian project, designed by this Government for the protection of the life and property of many of its citizens in the lower Colorado River Basin.

The point regarding the contracts was thoroughly discussed and passed upon by Congress, both in this body and in the other body, at the last session. The legality of the contracts was passed upon by the Appropriations Committee, by the Solicitor of the Department of the Interior, and by the Attorney General himself, who held that they were legal.

The financial results that will flow out of these contracts were passed upon by the Secretary of the Interior, and showed that on an ordinary basis, leaving out entirely the metropolitan water district contract for water, they would return to the Government its entire expenditure, together with interest at 4 per cent, all within a period of about 30 years, and in addition would return something like five or six hundred thousand dollars a year each to Arizona and Nevada as revenue in the place of taxes that might have accrued to the States if this had been done by private corporations.

The metropolitan water district is proceeding in southern California as rapidly as an undertaking of that magnitude can be undertaken. The surveys in the field have all been completed. Some four distinct and different routes have been outlined. The chief engineer of the metropolitan water district has expressed his preference for one of those routes. A board of nationally known engineers has convened and is now in Los Angeles as a consulting board to determine for the metropolitan water district which is the best and most economical route. Until that has been done, the voting of bonds can not take place, but I will assure this Congress that the metropolitan water district is going forward as rapidly as it can to secure the benefits that are allowed it under the law and under its contract with the Secretary of the Interior, and there will be no letting up in carrying out its obligations to the Government.

As to the lawsuit that was filed in October by Arizona, Arizona chose its own forum for the final adjudication of this controversy. It chose the appropriate forum, the Supreme Court of the United States. The Supreme Court of the United States not only has jurisdiction over the controversy to-day but it had jurisdiction to stop the expenditure of the \$10,660,000 appropriated last session as well as this money if that was the right and proper thing to do.

Mr. DOUGLAS of Arizona. Will the gentleman yield?

Mr. SWING. Not just now. That forum, the Supreme Court, has not stopped the expenditure of this money. That forum has not issued what every lawyer knows it could issue, a temporary injunction directing us not to make the appropriation or make the expenditure.

Mr. LA GUARDIA. Will the gentleman yield?

Mr. SWING. I yield.

Mr. LA GUARDIA. The gentleman means an injunction against the spending of the money, but not against the appropriation of it.

Mr. SWING. Yes; against the expending of the money. There will not be issued any such temporary injunction.

Therefore, Arizona having chosen its own distinguished forum, that forum having complete jurisdiction of this matter and having power to say that not a dollar shall be expended if it thought that was the wise, the lawful, the right thing to do, and it not having said it, it is an instruction, by what it does not say, that Congress has full power and full responsibility and full right and full privilege to proceed with this work to protect the lives and property of its citizens.

Mr. DOUGLAS of Arizona. Could the Supreme Court of the United States take that action before the case had been argued or the complaint answered?

Mr. SWING. I will say that the Solicitor General of the United States and the attorneys general of the six Colorado River Basin States have met and decided that this suit can be dismissed, and that they are going to ask for its dismissal on January 12 next, when the matter comes up before the court.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. TAYLOR of Colorado. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, ladies and gentlemen of the committee, it seems to us Members from the six other Southwestern States that the motion of the gentleman from Arizona is utterly without merit or justification. Those States have been trying for the past 10 years to fairly divide the waters of the Colorado River and build this flood-control dam and reservoir to conserve the waters of that great stream and make one of the greatest developments in the world. No human being can estimate the value of those gigantic floods when they are properly harnessed and applied to power, irrigation, domestic use, and other beneficial purposes. It is the very lifeblood of these six States. We have been compelled to have hundreds of conferences and hold hearings for years and years. We have been forced to spend hundreds of thousands of dollars. We have had all that great development prevented for all of these years by whom? By nobody except the State of Arizona. There is no way of ever estimating the millions of dollars of damage and injury that that State has caused her six sister States by her long and bitter fight over this Boulder Canyon project and the 7-State Colorado River compact. But we finally won out and passed the act of December 21, 1928, creating this project and authorizing this work.

The Attorney General of the United States has sustained that act, and Congress last spring made the first appropriation of \$10,600,000 to commence the work. That work has been as rapidly as possible going forward ever since. This is the second appropriation of \$15,000,000 toward carrying on that construction of the greatest dam the world has ever known, for the benefit at present of more than 6,000,000 human beings and of all the untold future millions of inhabitants of all those States. That act has not only been exhaustively considered by Congress but by hundreds of the most eminent attorneys throughout the country. I think the unanimous opinion of almost all of them is that the suit brought in the United States Supreme Court by the State of Arizona attacking the constitutionality of that law will be held to be without any foundation in law or justification in fact. I think I voice the sentiment of nearly all the members of the Appropriation Committee in saying that we are willing to rely upon the judgment of Congress and the Department of Justice and go ahead with this great project.

THE HOOVER DAM

There is another feature of this section of the bill under consideration that I feel ought not to be passed over in silence.

I refer to the three words in the second line, "The Hoover Dam."

Do you realize that those words just read by the Clerk are making history for thousands of years to come?

This is the first time that name has ever appeared in any bill or official action of Congress. This Interior Department Appropriations Committee thought that following the precedents of the naming of the Roosevelt Dam during Presi-

dent Roosevelt's administration, and the Wilson Dam during President Wilson's administration, and the Coolidge Dam during his administration that President Hoover was very justly entitled to the same distinction, so we unanimously and very gladly wrote into this section those words making the naming of that great dam the Hoover Dam by the action of Congress. That will be a monument to him for centuries after every other act of his administration, and of this Congress will have passed into utter oblivion.

In fact, it will be a tribute to him as long as this planet is inhabited by human beings. This committee hopes and believes his administration and entire life will be pre-eminently worthy of this honor, and that history will approve of this action of Congress. If I may, without impropriety, refer to my own personal sentiment in this matter, I will say that when that act was passed, I thought that dam should have been given the name of the President, and, because it was not, on May 27, 1929, I introduced H. J. Res. 81, as follows:

House Joint Resolution 81

Joint resolution naming the Hoover Dam

Resolved, etc., That in appreciation of his distinguished service as the official representative of our Government in the negotiation of the Colorado River compact, signed at Santa Fe, N. Mex., November 24, 1922; and in recognition of his preeminent ability and international reputation as one of the world's greatest engineers; and as a fitting tribute to our President, the highest and greatest dam ever built authorized to be constructed on that river by the act of Congress of December 21, 1928, shall be known and designated on the public records as the Hoover Dam.

In the summer of 1930, when the Secretary of the Interior, Ray Lyman Wilbur, dedicated the project with appropriate ceremonies at the site, he formally christened the dam the Hoover Dam. Thereafter he wrote the following letter:

THE SECRETARY OF THE INTERIOR,
Washington, September 17, 1930.

DR. ELWOOD MEAD,

Commissioner of Reclamation, Washington, D. C.

MY DEAR DOCTOR MEAD: This is to notify you that the dam which is to be built in the Colorado River at Black Canyon is to be called the Hoover Dam.

Sincerely yours,

RAY LYMAN WILBUR.

So that the dam is now officially named by both the Secretary of the Interior and by Congress.

Mr. JOHNSON of Washington. Will the gentleman yield?

Mr. TAYLOR of Colorado. I yield.

Mr. JOHNSON of Washington. Is this dam being built by American labor?

Mr. TAYLOR of Colorado. I understand it is.

The CHAIRMAN. The time of the gentleman from Colorado has expired.

The question is on the amendment offered by the gentleman from Arizona.

The amendment was rejected.

The Clerk read down to and including line 21 on page 85.

Mr. DOUGLAS of Arizona. Mr. Chairman, a few moments ago I submitted a unanimous-consent request that the complaint filed by the State of Arizona in the Supreme Court of the United States be permitted to be printed in the RECORD as an extension of my remarks, at which time the gentleman from California [Mr. SWING] put the query, Should the appendixes likewise be included? To which I replied it was not necessary. On carefully examining the appendixes, I find that with one exception they do bear a relation to the complaint itself and I, therefore, request that the complaint, with that one exception, be printed in the RECORD.

Mr. CRAMTON. Mr. Chairman, reserving the right to object, this is a book of 111 pages, of which 40 are in the complaint and 70 are in the appendixes. I think it is a very dubious question whether we ought to encumber the RECORD by printing a book of 111 pages.

Mr. DOUGLAS of Arizona. I will withdraw the request.

The Clerk read as follows:

For topographic surveys in various portions of the United States, \$780,000, of which amount not to exceed \$360,000 may be expended for personal services in the District of Columbia: *Provided*, That no part of this appropriation shall be expended in cooperation

with States or municipalities except upon the basis of the State or municipality bearing all of the expense incident thereto in excess of such an amount as is necessary for the Geological Survey to perform its share of standard topographic surveys, such share of the Geological Survey in no case exceeding 50 per cent of the cost of the survey and resulting maps: *Provided further*, That \$543,000 of this amount shall be available only for such cooperation with States or municipalities.

Mr. O'CONNELL. Mr. Chairman, I move to strike out the last word for the purpose of asking the gentleman from Michigan, the chairman of the subcommittee, about this paragraph beginning in line 22, page 85, and ending in line 10, page 86. It is an item of \$780,000, of which amount not to exceed \$360,000 may be expended for personal services in the District of Columbia, and that \$543,000 of this amount shall be available only for such cooperation with States or municipalities. I confess I do not understand the item.

Mr. CRAMTON. I was unable to catch the gentleman's question.

Mr. O'CONNELL. It is an item of \$780,000, of which \$360,000 is to be used for personal services in the District of Columbia, and of the total amount \$543,000 shall be available only for such cooperation with States or municipalities. I do not understand that item.

Mr. CRAMTON. Is it the State cooperation which the gentleman wants to know about?

Mr. O'CONNELL. Yes.

Mr. CRAMTON. The topographic survey of the United States is authorized, and its expedition was provided for in the Temple Act a few years ago. The topographic survey is carried on in part at the exclusive cost of the Federal Government. That is true as to such projects as national forests and national parks, where no other agency is benefited. There are many other cases, however—and I may say in the majority of cases—where a State in its road-building program or otherwise is interested in the results of such surveys. They may desire the survey carried on in a different way than the Federal Government would for its own purposes alone, carried to a greater extent and at greater expense. So we have for a long time provided for cooperation in such cases, not more than half from the Federal Government and at least half from a State or municipality. Our policy in the last few years has been to appropriate enough to meet whatever cooperation is offered by the State.

Mr. O'CONNELL. Outside of the usual routine of the Federal Government's program the gentleman means?

Mr. CRAMTON. Yes.

Mr. O'CONNELL. This \$543,000 is for that purpose?

Mr. CRAMTON. Yes. It is a program which has been under way for a number of years.

Mr. O'CONNELL. It was not clear to me and that is why I asked the question.

The pro forma amendment was withdrawn.

The Clerk read as follows:

For gaging streams and determining the water supply of the United States, the investigation of underground currents and artesian wells, and the preparation of reports upon the best methods of utilizing the water resources, \$672,000; for operation and maintenance of the Lees Ferry, Ariz., gaging station and other base gaging stations in the Colorado River drainage, \$48,000; in all, \$711,000, of which amount not to exceed \$160,000 may be expended for personal services in the District of Columbia: *Provided*, That no part of this appropriation shall be expended in cooperation with States or municipalities except upon the basis of the State or municipality bearing all of the expense incident thereto in excess of such an amount as is necessary for the Geological Survey to perform its share of general water-resource investigations, such share of the Geological Survey in no case exceeding 50 per cent of the cost of the investigation and of the printing of the resulting reports: *Provided further*, That \$552,000 of this amount shall be available only for such cooperation with States or municipalities.

Mr. HILL of Washington. Mr. Chairman, I move to strike out the last word. I would like to ask the chairman of the committee for information about this paragraph. In the committee's report, on page 6, it is stated:

In the item for stream gaging and water-supply investigations the Budget included \$190,000 to enable the Geological Survey to carry on certain work heretofore provided for in the Army appropriation bill.

I would like to ask the chairman if the full amount of \$190,000, as estimated by the Budget, is carried in this bill?

Mr. CRAMTON. Yes; that \$190,000 is carried and, I think, \$10,000 more, if I remember correctly. Has the gentleman read the letter from Mr. Sears, the Acting Director of the Geological Survey?

Mr. HILL of Washington. Yes; I have read that letter.

Mr. CRAMTON. From that letter it will appear that the Geological Survey has been carrying on certain cooperative water investigations and stream-gaging efforts on a cooperative basis, very similar to the topographic surveys, but until a year or two ago the Federal Government was not providing enough money to meet the desires of the States for such cooperation, and the States were insistent that we should treat that item as we have been treating the topographic survey item, and that we should really meet 50-50 the States on such projects as the States were interested in. We have been doing that in the current year and in the bill before you. At the same time the Army had been building up certain activities duplicating the efforts of the Reclamation Service and the Geological Survey, a practice I have criticized on the floor several times.

With reference to stream gaging, a part of their appropriation for the investigation of streams, with reference to irrigation, water power, flood control, and so forth, was turned over to the Geological Survey in order that the Geological Survey might do the work for the Army, using a part of the Army appropriation. Further than that, the Army was carrying on certain stream-gaging activities of its own, with a personnel not as expert, of course, as that of the Geological Survey. For some reason they have changed their policy, and in this Budget it is proposed that this activity, heretofore carried on by the Army, whether previously done by the Geological Survey or not, shall hereafter be done by the Geological Survey with the money carried in this bill. When that came to the attention of the committee we asked the Director of the Geological Survey to advise us as to the character of those projects. While carried in the Army bill, whether the work was done by the Army or the Geological Survey, it was a 100 per cent Federal expenditure. We asked the Director of the Geological Survey, before we took those projects over into this bill, to advise us as to the character of the items, and he set them forth in the letter referred to, from which it appears that some little projects now carried on are not proposed to be continued and as to those that are to be continued there is a certain number of them that under the past policy of this item should be cooperative. As to those items that should be cooperative, some of the States may not have the money available to put up their share, and until those States do have the money available to put up their share the work will be suspended. But so far as the States are ready to proceed with their work, or if there are any other projects that are proper, we are prepared to appropriate to meet the State contribution.

Mr. HILL of Washington. Then the \$190,000, or the money that is provided in this bill to carry on the activities heretofore carried on under War Department appropriations, will go into the Geological Survey funds on a cooperative basis, I take it?

Mr. CRAMTON. In so far as it is a proper one.

The CHAIRMAN. The time of the gentleman from Washington has expired.

Mr. CRAMTON. Mr. Chairman, I ask unanimous consent that the gentleman may proceed for five additional minutes.

The CHAIRMAN. Without objection, the gentleman from Washington is recognized for five additional minutes.

Mr. CRAMTON. There are some that were formerly carried in the Army bill that will continue to be purely Federal projects.

Mr. HILL of Washington. They are purely of a noncooperative character.

Mr. CRAMTON. Yes; where it is a national problem. I may say to the gentleman that what the committee did is this. Without regard to what the Budget had recommended, we have recommended the amount of money that

the Geological Survey thinks is necessary to take care of the needs of this item, including the transfers from the Army.

Mr. HILL of Washington. The gentleman has answered the question I had in mind, and I yield back the balance of my time, Mr. Chairman.

The pro forma amendment was withdrawn.

The Clerk read as follows:

Total, United States Geological Survey, \$3,132,740.

Mr. LEAVITT. Mr. Chairman, I move to strike out the last word.

I would like to ask the chairman of the committee, in connection with the gaging of streams, whether the language includes the continuation of gaging the waters of the St. Marys River in connection with international boundary matters between the United States and Canada and the Milk River irrigation project.

Mr. CRAMTON. I can not speak positively, but I note from the hearings that Dr. George Otis Smith included that particular project as one having a Federal interest, but whether it is exclusively Federal I am not prepared to say. I note further in the letter to which I have referred, on page 374, is a list of the stations involved, and I find that in Montana the total number of stations at present is 31; 27 of these are considered as of the cooperative type, 4 are considered of the Federal type, and none is to be abandoned.

Mr. LEAVITT. None should be abandoned.

Mr. STAFFORD. Will the gentleman yield?

Mr. LEAVITT. Yes, indeed.

Mr. STAFFORD. I notice there has been an inordinate increase in the appropriation under this item from \$460,000, as carried last year, to \$711,000, as provided in the current bill. Is this due to some exceptional increase of work? Twenty-five years ago the then chairman of the Committee on Appropriations, Mr. Tawney, fought this item most vigorously as not being a proper activity of the National Government. The Geological Survey was measuring the water flow of little trout streams and the like and establishing permanent stations there which were of no national value, and it was his opinion then that the entire amount should be eliminated from the bill. Now, we have an increase of over \$200,000 in comparison with the amount carried last year.

Mr. CRAMTON. Mr. Chairman, the situation is that the appropriation for the current year is \$510,000. The Budget estimate was \$700,000, which would mean an increase of \$190,000 above the current year. I am sure the Budget had in mind that the \$190,000 increase was due to the transfer of the \$190,000 heretofore appropriated to the Army into a straight appropriation to the Geological Survey. The actual appropriation recommended by our committee would have been \$720,000, or \$20,000 more than the Budget estimate, but reduced by \$9,000 by reason of the elimination of salary increase. So we have recommended \$711,000. I am satisfied that the appropriation made when Mr. Tawney was on the job was exclusively Federal funds.

Mr. STAFFORD. There is no question of that.

Mr. CRAMTON. And did not involve State matching. Now, of the item of \$711,000 in the bill, \$543,000, if I remember correctly, is to be matched by other funds. So that with work amounting to one million and a quarter dollars only \$700,000 will be from the Federal Treasury.

Mr. STAFFORD. And yet 15 or 20 years ago this appropriation only aggregated about \$200,000.

Mr. CRAMTON. The gentleman is correct.

Mr. STAFFORD. I was just speaking from memory, and I am glad to have the gentleman confirm my statement. It has now reached \$700,000.

Mr. CRAMTON. For 1930 the appropriation was \$275,000 and for 1931 it is \$510,000. This big jump is the one that I have referred to when we first adopted the policy of providing enough funds to meet the State funds, and I presume there has been a marked change in the local demand for water studies due to power question and questions of water supply, and all those things.

Mr. STAFFORD. And flood control?

Mr. CRAMTON. Flood control; yes.

The pro forma amendment was withdrawn.

The Clerk read as follows:

Glacier National Park, Mont.: For administration, protection, and maintenance, including necessary repairs to the roads from Glacier Park Station through the Blackfeet Indian Reservation to various points in the boundary line of the Glacier National Park and the international boundary, including not exceeding \$1,300 for the purchase, maintenance, operation, and repair of motor-driven passenger-carrying vehicles for the use of the superintendent and employees in connection with general park work, \$210,000; for construction of physical improvements, \$46,500, including not exceeding \$19,300 for the construction of buildings, of which not exceeding \$3,500 shall be available for a ranger station, \$6,600 for four comfort stations, \$1,500 for a shelter cabin; in all \$256,500.

Mr. LEAVITT. Mr. Chairman, I move to strike out the last word. The chairman of the committee knows that for a number of years I have been very much interested in the Transmountain Highway across the Glacier National Park by the way of Logan Pass, and I think the committee would appreciate a statement as to its present status.

Mr. CRAMTON. The committee is well aware of the interest of the gentleman from Montana, and I am happy to be able to assure the gentleman that if the bill passes in its present form we expect to see the completion of that transmountain road at an early date.

Mr. LEAVITT. What would be the estimate of the time of completion?

Mr. CRAMTON. This bill carries half of the money for this year and the other half will come in the following year, and in order both to expedite it and to make it possible to secure economy, it being necessary to build it in the 2-year period, rather than one, we have enlarged the authority to contract carried in the bill, and instead of \$2,500,000 it is \$2,850,000. That additional \$350,000 is intended for that road so that when they let the contract in the near future they will let the contract for the completion of the road.

In connection with that, the reason that it has become possible is because the private-land situation, which was a great problem, has very largely been relieved in the past year by the purchase of lands along this road, along Lake McDonald.

In addition, there is an item in the bill for the further land purchases, and, if that goes through, I hope that will speedily permit the completion of the privately owned lands along the roadway.

Mr. LEAVITT. The appropriation included would provide for the construction of the same character of road as that which leads up to Logan Pass?

Mr. CRAMTON. Yes.

Mr. LEAVITT. It is the finest transmountain road in the country.

Mr. CRAMTON. I would not want to agree with that, definitely, for there are several fine transmountain roads—it is going to be a wonderful road. The gentleman may be interested to know that the name has practically been determined, and that it is to be called the "Going-to-the-Sun Highway," which is the Indian name applied to the mountain around which this transmountain road goes.

Mr. LEAVITT. Mr. Chairman, I withdraw the pro forma amendment.

The Clerk read as follows:

Hawaii National Park: For administration, protection, and maintenance, including not exceeding \$600 for the maintenance, operation, and repair of motor-driven passenger-carrying vehicles for the use of the superintendent and employees in connection with general park work, \$34,700; for construction of physical improvements, \$19,900, of which not exceeding \$6,600 shall be available for two employees' quarters, \$8,800 for an administration building, \$4,500 for a residence for the United States commissioner; in all, \$54,600.

Mr. HOUSTON of Hawaii. Mr. Chairman, I move to strike out the last word. Mr. Chairman and members of the committee, may I not take this opportunity to express my appreciation of the chairman of this committee for his uniform courtesy and very sympathetic treatment of all matters that have to do with Hawaii. I confess not only my own regret but that of the Territory of Hawaii, at his early retirement, and hope it will only be temporary.

I want to take this opportunity to refer to a part of the appropriation, and am sorry that it was not found possible to increase the appropriation for rangers for the Hawaii National Park. There was an increase of two, which makes the total five rangers.

Mr. CRAMTON. There was a Budget increase and then the committee increased it by two.

Mr. HOUSTON of Hawaii. The increase of two, making five altogether.

Mr. CRAMTON. What is the number at the present time? Three?

Mr. HOUSTON of Hawaii. Yes.

Mr. CRAMTON. In addition the Budget recommendation was for one or two more, and our committee added two more. I would not speak too definitely as to the Budget action, but that is my recollection.

Mr. HOUSTON of Hawaii. That is important. With the addition provided for by the appropriation that will make it possible to at least increase the force. We have a park there whose area amounts to 245 square miles, about 160,000 acres, in which there are two active volcanoes, one at a height of about 4,000 feet elevation and the other at a height of about 14,000 feet elevation, separated by about 30 miles in distance, without any connecting road. There are fissures, there are ash deserts, and there are tropical jungles in this area.

Mr. CRAMTON. May I say to the gentleman that I have consulted the hearings and find that the Budget estimates provided for two additional rangers, and the committee increased that by two more, so that there is an increase of four rangers.

Mr. HOUSTON of Hawaii. That is very fine indeed. I misunderstood the facts. I merely want to emphasize the necessity for relief in this area. Before the last session of Congress there was a duplication of authority. Both the Territory and the Federal Government had authority over the national park, whereas at the present time exclusive jurisdiction is in the hands of the Federal Government. There is, therefore, a greater necessity for ranger service. Within this national park at Kilauea there is a pit, at the present time about 1,100 feet deep, 3,500 feet wide in one direction and about 3,000 feet wide in another. The edges of this pit are perpendicular, and cracks extend back from the edge of the pit some distance. There is frequent avalanching, so that it may well be seen how necessary it is to have adequate protection. In an ordinary year about 120,000 visitors visit the park, and recently, when the volcano was active, there were 25,000 people who visited the pit within five days. The amount of lava that flows into this pit has been estimated recently, when the volcano became active, as being about 115,000 tons per hour; and there has been developed a lake which covers about 100 acres in area and is estimated to be about 90 feet deep. The excess molten material that enters this pit falls over the edges and disappears into the bowels of the earth. It is for that reason that I invite attention to the great necessity of having adequate ranger protection.

I ask unanimous consent to extend my remarks and to include some further data with respect to the park and also an editorial published in the Honolulu paper with respect to the road connecting the two pits.

The CHAIRMAN. The gentleman from Hawaii asks unanimous consent to extend his remarks in the Record and to include therein a certain editorial. Is there objection?

Mr. SPROUL of Illinois. Mr. Chairman, I object to the editorial.

Mr. HOUSTON of Hawaii. Then, Mr. Chairman, I withdraw the request for the editorial and ask unanimous consent to extend my remarks in the Record.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. HOUSTON of Hawaii. Mr. Chairman, Hawaii National Park contains among other features a very spectacular volcanic element. Nothing in the world can equal it as a spectacle when in action, nor is there anything similar in the world which can so easily be visited. Tremendous foun-

tains of molten lava can issue through the bottom of 1,100-foot deep Halemaumau pit, on the slopes of Mauna Loa, or at any point along a 10-mile rift running through the park, and this can and does occur without a moment's warning. So far, since 1790, when a Hawaiian army was wiped out by an explosive eruption, but one person has been injured here. Such a record has been due more to good fortune than to preventive measures. The tremendous forces which make possible the spectacular flow of boiling liquid rock, together with the ease by which the phenomena may be viewed, can, if nature so wills it, just as suddenly turn into a disaster. Nature can not be controlled, but with a proper personnel crowds and crowd movements can be.

At present automobiles approach to within 300 feet of the rim of Halemaumau, the fire pit of Kilauea crater. From there persons go on foot to the very edge of the pit, the dimensions of which are now 1,100 feet deep, 3,500 feet long, and 3,000 feet wide. Pit walls are not only sheer, but in most places the top rim overhangs the lower portions. Earthquakes and lava pressure have caused innumerable earth cracks to occur at intervals all along the pit edges. It is only from such locations as this that liquid lava issuing into the pit bottom can be viewed. Such a situation requires a constant ranger patrol from point to point and crowd to crowd to protect visitors from their own interest—an intense interest which fascinates from all sense of danger. Rangers must watch day and night for all ground movements, for location of avalanching walls, for too great a crowd collecting in any one spot, for persons standing on danger areas or too close to overhanging edges, for rowdyisms, which is extremely dangerous, and at the same time be ready to handle a sudden panic should explosion or violent earthquake occur. This patrol is both a day and night task, with by far the greater need being between the hours of 6 p. m. and 12 p. m.

For a period of years up to 1922 the fire pit Halemaumau always contained molten lava. Starting in 1922 and ending in 1924 by an explosive eruption, which enlarged the pit to four times its former area, the lava disappeared from view. Since then it has gradually been coming back through eruptive periods of increasing length and of closer frequency. During 1929 we have had two eruptions within five months and weeks of property-damaging earthquakes which shook the entire group of islands. The Government scientists, who are constantly on the ground, have determined that volcanic action runs in well-defined cycles of time. Based on these studies they foresee during the calendar year 1930—by what is expected to be a semipermanent return of lava—the beginning of a new cycle.

Between 1922 and 1930, not only has tourist travel increased but the progress of the automobile has put transportation within the reach of thousands in every locality. The increase in automobiles during the same period is probably much more striking here in Hawaii than it may be on the mainland where their introduction and good roads occurred sooner. At any rate, there is no comparison between travel in this park in 1922 and that which now occurs during eruptive periods. Roads leading to and in the park are a constant stream of traffic day and night. The night spectacle being even more wonderful than the day event, car numbers increase with darkness. And they must be handled or confusion, accidents, and untold trouble results. During the July eruption of 1929 we had 25,000 persons at the fire pit during four days. Our small force being entirely unable to handle them we were forced to call for aid from Hilo police. At any day we will be called upon to take care of an equal or greater situation. Not only is the size of our crowds great but they are composed of as cosmopolitan a gathering as can be found anywhere. Hawaiians, Japanese, Chinese, Filipinos, Koreans, Portuguese, whites, and what not. Most of them, lacking a natural driver's instinct, become confused and must be handled individually.

The responsibility for the safe-keeping and proper handling of park visitors is the Government's. We can not expect the Hilo police to shoulder our troubles always, and the nature of this task is such that its performance can

not be postponed or neglected for an instant. Should an avalanche at the pit edge carry several lives with it we would be blamed for lack of proper precautionary measures; should traffic become hopelessly jammed and accidents result the fault would be ours; should a seemingly safe lava flow suddenly turn into a roaring explosive eruption it would be our responsibility to direct everyone to safety as efficiently as possible and then to keep them there. The existing force of three permanent rangers can not do this and at the same time handle traffic at the park hotel, as well as maintain the regular patrols throughout the park in order to enforce rules and regulations and protect our other but less spectacular natural features.

Emergency employment is not to be depended upon to protect visitors to a volcano. Men trained in what to do, not subject to crowd excitement, but cool and efficient, are what we must have. No other park or branch of the Government has a similar situation. A volcano is not a plaything and does not wait the coming of the fiscal year. Scientific study now indicates that lava may return here to stay at any time, and should we be caught unprepared I fear the consequences. The eruptions of February and July, 1929, showed very forcibly what the possibilities are.

The Clerk read as follows:

Hot Springs National Park, Ark.: For administration, protection, maintenance, and improvement including not exceeding \$1,830 for the purchase, maintenance, operation, and repair of motor-driven passenger-carrying vehicles for the use of the superintendent and employees in connection with general park work, \$85,300; for construction of physical improvements, \$4,000, of which \$3,500 shall be available for an employee's quarters; in all \$89,300.

Mr. SLOAN. Mr. Chairman, I ask unanimous consent to proceed for five minutes out of order.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. SLOAN. While the subject of appropriations for national parks is being considered permit me to call your attention to H. R. 3572, introduced by me on May 31, 1929.

It provides for the purchase of the following-described tract of land: The south half of the northwest quarter, northeast quarter of the northwest quarter, and the southwest quarter of the northeast quarter of section 26, township 4, north, range 5, east of the sixth principal meridian, in Gage County, Nebr., that this tract be designated as the "Homestead National Park of America." It also provides that an appropriation in the sum of \$50,000 be made to carry this measure into effect.

The title fairly indicates the purpose of the bill. The great homestead law enacted on May 20, 1862, which came into effect on January 1, 1863, was the culmination of a legislative struggle lasting for a decade and which, finally enacted, opened for entry a large part of the Louisiana Purchase to our citizens and those who would make citizenship declarations, civil and military, with favoring conditions for the latter.

This 10-year struggle was led by Galusha Grow, Congressman from Pennsylvania, and others. It will be recalled that Galusha Grow afterwards became Speaker of the House of Representatives, and his picture hangs in the corridor adjoining this Hall.

In the organization of this Government its most extensive, if not most marketable, asset was its then public domain, which increased with the expansion of the country.

The genius of early as well as later statesmanship was taxed to so control and dispose of public domain as to meet the present necessities and reserve a fair amount of justice for the generations to come. There were those who believed that the public domain should be given forthwith to the States. But that could not be agreed upon any more than we can agree right now upon opening our Treasury to the demands of the States for their distribution among the people for whom the States themselves should be primarily responsible.

Then there were many who believed that the public domain should be sold cheaply, and with the price established would constitute some basis of credit for the country before

sale, and some small addition to the Treasury, if sale be made.

Then there were those who believed in giving on most insignificant terms the public domain in small tracts, the conditions for their acquiring complete title, amounting to little exertion and no pay.

Behind all these plans was the question of broad national policy in so encouraging the distribution of our population that the great overshadowing question of bond or free should be influenced or settled according to the differing views of the different sections of the country, and their representatives at the National Capital.

In fact a most cursory, as well as a deep study of our national domain's history, will convince anyone that the second important proposition from 1789 to 1862 was the problem of free land under proper conditions.

In the decade of struggle preceding the homestead act of 1862 the names of Grow, Cobb, and Dawson were as familiar in the land controversies as were those of Seward, Sumner, and Lovejoy on the question of free men.

The tract I have described was the first entry under the homestead law. It lies, of course, in the fourth congressional district of Nebraska. Where else would the numerous appropriate conditions for a national park center? There it lies not far from the geographic center of the United States within 20 miles of the fortieth parallel of latitude, which divides the two war-born States of Nebraska and Kansas. It is in a picturesque and beautiful valley, liberally wooded by adventitious distribution of nature and the foresight of resident homesteaders, who proudly call themselves citizens of the Tree Planters' State.

It is the center of that best part of this country, within a radius of 100 miles where ready shift can be made from the world's crop, wheat, to the American crop, corn; and whose soil, enriched by rotation of legumes and cereals, render unnecessary artificial fertilization, so liable to subject us to the contention of Boulder Dam sites, or vexing bivalve shoals.

National parks are being laid out in many parts of the Nation. They are usually in the far-off frontiers, or upon inaccessible mountain regions, where the penalties of accession are greater than the possible enjoyment following arrival.

Often the violence of primeval preparation and upheaval makes an endless treasury drain in order that they may be reached, traversed, and enjoyed. This park would be readily accessible by rubber tire, steel rail, or plane of the air. Belated or detained visitors need not be concerned with the possible problem of starvation. The homestead areas have yielded more gold from their soil manifold than all the mountain ranges from which have been carved the several tracts, which to use and enjoy would seem a violation of nature's primeval prohibition.

The Freeman entry upon this tract was romantic and chivalrous. He was like many eminent Americans born in Ohio. Long before the senior Longworth in Cincinnati was gladdened by the vision of the then future Speaker of this House, who at a very early age is said to have shouted his triumph over restraint to liberty, Dan Freeman graduated at the Eclectic Medical Institute at Cincinnati. He practiced his profession at Ottawa, Ill., when Lincoln at Springfield was preparing for the Presidency. When war came he preferred to carve resisting men to sawing the bones of etherized patients. So in 1861 the surging blood of his forbears who fought in the Revolution, battled on the right side in 1812, where gringos at Palo Alto and Chapultepec, enlisted, followed when he had to, and led when he could, entered the war when it started and stayed to the end.

He was on the United States scout duty in and about Brownsville, Nebr., and on furlough late in 1862. There he learned of the homestead law, and like many another American, looking out for "No. 1," filed just after midnight January 1, 1863, upon the tract described. He immediately returned to his service and received his final certificate on January 20, 1868, and his patent September 1, 1869.

Here he made and continued his home for more than 50 years. His widow and sons survive him and the title is in them; for sale only to the Government of the United States.

Scanning hurriedly a biography of Galusha Grow, father of the homestead act, I was interested in the prominence that he gave, first, to the homestead legislation; and second, to the interesting character, Daniel Freeman, who made the first entry. In this book of Galusha Grow's life twice appeared the picture of Daniel Freeman. Then also appears a photostatic copy of the Freeman patent. Concerning the Freeman entry Galusha Grow years after spoke as follows:

There are two interesting incidents connected with the final passage of the original free homestead bill. First, it took effect on the day of Lincoln's Emancipation Proclamation. Second, the first settler under the homestead bill, which provided free homes for free men, was named Freeman. Daniel Freeman, of Beatrice, Gage County, Nebr., was a Union soldier home on a furlough which would expire on the 2d or 3d day of January, 1863. At a little past midnight on the 1st day of January, 1863, he made his entry in the land office of his district and left his home the same day to take his place again in the ranks of the tented fields. His entry was No. 1, his proof of residence was No. 1, his patent was No. 1, recorded on page 1 of book 1 of the Land Office of the United States. The first settler under this law was a Freeman, and I trust that the last of its beneficiaries in the long-coming years of the future will be a freeman.

I do not know of any memorial or other outstanding recognition of the Government to the homestead legislation to its eminent author, or its first beneficiary. The Daughters of the American Revolution have placed a suitable bronze tablet fronting the home, identifying this remarkable tract. But it would seem that this great constructive legislation, which furnished such a wholesome outlet for the returning soldiers of the Civil War, and for all citizens and bona fide declarants who desired to better their stations, improve their citizenship, educate their families, and feed the Nation; this Congress, or one of its successors, should take the initial steps for suitable recognition of this epochal period in our history, and the marvelous expansion and success of this great national homestead enterprise.

I can conceive of no better place, no finer sentiment, no more appropriate time than now for this Congress to establish this proposed Homestead National Park of America. [Applause.]

Mr. GLOVER. Mr. Chairman, I move to strike out the last word. I feel that I should say at least for the people of the Hot Springs National Park that we deeply appreciate the splendid consideration the committee has given us in this appropriation. It is somewhat larger than it usually is and some items are taken care of that are badly needed. I received an invitation to-day to be present at the opening of the great Carpenter Dam to public use on next Thursday, a project which has cost \$7,000,000, and is within 4 miles of this great Hot Springs National Park. The completion of this dam makes a lake of 10,000 acres, which will be the finest fishing and boating resort of any place in the Nation.

We invite the chairman of this subcommittee, who has given it so much consideration, to visit this great resort during his vacation time. We invite him to avail himself of the opportunity to come to this splendid resort for which he has done so much and where he has made so many friends. We certainly invite the gentleman to come down there and spend all his leisure time in this great resort that he has helped to build up. [Applause.]

The pro forma amendment was withdrawn.

The Clerk read as follows:

Zion National Park, Utah: For administration, protection, and maintenance, including not exceeding \$1,200 for the purchase, maintenance, operation, and repair of motor-driven passenger-carrying vehicles for the use of the superintendent and employees in connection with general park work, \$41,000; for construction of physical improvements, \$13,100, including not exceeding \$8,200 for the construction of buildings, of which not exceeding \$5,000 shall be available for an employee's quarters, \$1,800 for a comfort station; in all, \$54,100.

Mr. CRAMTON. Mr. Chairman, under Yosemite, I desire to call to the attention of those interested a problem that has arisen there that is of considerable importance, namely, the method of getting up to Glacier Point.

Mr. STAFFORD. Has the Government in recent years made any highways by way of Happy Islands, up the Illilouette Canyon to Glacier Point?

Mr. CRAMTON. No; and such route would be extremely expensive, and my present thought is would constitute a very undesirable disfigurement. The only highway now from the floor of the valley to Glacier Point goes out the other way, and is about 24 miles in distance, but it is not yet improved, and to be properly constructed will be very difficult. I have in mind also that the opportunity for terminal facilities at Glacier Point is very limited. Parking space is very limited.

Mr. STAFFORD. It is not contemplated to increase the capacity of the trail leading from the floor of the valley directly up to Glacier Point?

Mr. CRAMTON. There are four ways of getting up to Glacier Point. The first, by a very arduous foot trail, 2 miles to make the 3,600-foot rise, and a second one of 4 miles. There is a horseback trail of 11 miles and an automobile route of 24 miles over a poor road. The proposition that I want to speak about has to do with a possible steel-cable construction to take them from the floor of the valley to the Point.

Mr. STAFFORD. To have a sort of elevator lift them up from the floor of the valley to Glacier Point above?

Mr. CRAMTON. Not directly; but a steel cable, which I am assured can be so placed that it would not be visible in the sky line at all.

Mr. STAFFORD. Well, it might be feasible as an engineering project, but does the gentleman think it would be practical from a business standpoint?

Mr. CRAMTON. Yes; it is considered to be feasible. Its construction would not have to be at Government expense. The principal question involved is an esthetic one as to whether that means of locomotion should be applied in a national park, and it is complicated somewhat by those who really are not very anxious to have people get to Glacier Point, anyway, keeping it inaccessible. I would like to have the gentleman reserve judgment on it.

Mr. STAFFORD. I certainly will, because my present opinion is not very favorable to a project for a cable to lift passengers 3,600 feet up in the air.

Mr. CRAMTON. That is based, I suppose, on the financial possibilities.

Mr. STAFFORD. Based on chimerical possibilities.

Mr. CRAMTON. The method is used generally in the Alps, I will say to the gentleman.

Mr. STAFFORD. With the increased use of airships, I think perhaps it would be much more feasible to spend money to take passengers up by airship rather than by a basket attached to a cable.

Mr. CRAMTON. There is an interesting proposal under discussion in California at the present time as to how Glacier Point, overlooking the Yosemite Valley, shall be made accessible.

Since 1874 it has been accessible by a road and from time to time trails have been built leading from the floor of Yosemite Valley to the spectacular lookout point above. The Glacier Point road is narrow, has many sharp curves and heavy grades. It is already totally inadequate for the traffic that it must sustain. It must be rebuilt relatively soon. The road itself, however, is not the principal complication. Glacier Point is a narrow point of land dropping sharply to the precipice where the overhanging rock affords the plunging view to the valley 3,200 feet below. There is no space on the Point for parking areas. If a road is built, it appears that parking areas must be constructed well above the point and that great expense must be incurred in building facilities for reaching the point itself, perhaps even constructing a mechanically operated tramway. It is doubtful whether the road can be kept open in winter, when quite as many people from the eastern part of the country visit the park as in summer.

The plan that is being discussed to meet all these obstacles contemplates the erection of a cableway or ropeway, as it is now called, from the valley floor near the point

where Illilouette Creek enters the Merced to Glacier Point at a terminal near the hotel. Apparently this ropeway could be seen from certain trails, but never would the wires be seen against the skyline. There would be no cutting into the cliffs or destruction of trees. There are upward of 30 such ropeways in the Alps used annually by millions of people, a pretty large percentage of which are Americans.

This proposal opens the question as to what facilities should be provided for the public to enjoy the great natural wonders that are included in the parks. Each national park is set aside because it contains some natural feature so beautiful and so inspiring that it is in the interest of the people of the entire Nation to have it forever preserved. The central feature in each park which caused the park to be established in the first place, the thing that makes the area of national park caliber, the thing that gives it national and international fame, of course, should be seen by everybody, old and young, the sick and the healthy, the weak and the strong.

Yosemite Valley is the world famous central feature of Yosemite National Park. It is universally called "The valley incomparable." It is fully accessible by roads and trails so far as the valley itself is concerned, but one has not seen the valley unless he has also viewed it from Glacier Point. This point is quite as important as the domes, spires, cliffs, and waterfalls, and all of these are to be seen in a different perspective from Glacier Point than from the floor of the valley. Glacier Point must be available to everybody and must be as accessible as the valley floor. Having reached this conclusion it would seem that providing the means of accessibility does not noticeably impair the great natural feature which caused the park to be created, such means of accessibility should be employed whether it be a road or trail or a mechanical means of transportation. Certainly, it would seem that the ropeway if not more noticeable than a road or trail could be considered, especially if it provides quick, cheap, and an all-year-round accessibility to a view that everyone should have the opportunity to enjoy.

Of course, the danger of ever admitting mechanical means of transportation into a national park is that there may be a tendency to employ this means in cases where it is not absolutely necessary to do so. In the particular case under discussion the ropeway should not be thought of if Glacier Point can be reached by a road which would have adequate terminal facilities and be accessible for all-year-round use. The thing that troubles me is that here we have a situation where an outstanding feature in the national system, one that was certainly largely responsible for the creation of the park, can not be reached by all the people at all times of the year. The altitude is high, approximately 7,500 feet. Even people of normal health at sea level could not exert themselves at this altitude. Relatively few people can now reach and enjoy this outstanding viewpoint. Some way must be found for them to do so. The question is, Should a mechanical device, merely because it is a mechanical device, be given no consideration in attempting to solve this problem?

Such a position is not, in my judgment, tenable. If it is desirable that a certain region be made accessible to the general public, the means of opening it to the public is not very material so long as such means are not themselves of such a character as to disfigure or injure the park, whether it be a road, a trail, or a steel cable. It is not desirable that every region be made equally accessible, and I hope that some regions never will become easily accessible. Large wilderness areas must be retained, and easily may be in such parks as Yosemite, Yellowstone, Glacier, Sequoia, Rocky Mountain, Great Smoky, and others. Yosemite, with its 1,138 square miles of area, has much territory that has scarcely ever been visited. But the past policy for a half century, the present development, the pressing need for relief of congestion in the valley, and the fact that the superlative beauty of that world-famed panorama can be seen so much better from Glacier Point than otherwise

all forbid the idea that Glacier Point should be made inaccessible or continued of such difficult accessibility as at present.

The need for improved access to that point exists. The cable idea appears to have much to commend it. The mere fact it is a cable should not cause it to be rejected. If permission is granted and the cable constructed, it should not mean the construction of other cables elsewhere, except where the facts of the particular case fully justify. In this case, if it be true, as I understand it to be the case, that the cable and its appurtenant structures will not disfigure the landscape, I consider the need of further means of access so urgent that this cable proposal might well have favorable consideration.

I have mentioned the great congestion in the valley resulting from the rapid increase in the number of visitors to the park attendant upon the building of paved approach roads. That increase is emphasized by the following table giving the Yosemite attendance by years:

1915	33,452
1916	33,390
1917	34,510
1918	33,497
1919	58,362
1920	68,906
1921	91,513
1922	100,506
1923	130,046
1924	105,894
1925	209,166
1926	274,208
1927	490,430
1928	460,619
1929	461,257
1930	458,566

The attendance is producing problems that must be solved, if the Government is to either preserve unspoiled that pre-eminent scenic area in the valley for future generations, or make possible its proper enjoyment by the present generation. In my judgment, anything that will help to take the throngs away from the valley is worthy of unprejudiced and open-minded consideration.

The Clerk read as follows:

Appropriations made for the national parks and national monuments shall be available for the giving of educational lectures.

Mr. STAFFORD. Mr. Chairman, I reserve a point of order.

To what extent is it purposed to have the National Park Service provide educational lectures throughout the country without any limitation on amounts?

Mr. CRAMTON. Not at all. The item in question is to make it clear that the Park Service can do what I am sure they have authority to do under the law, but the comptroller is not quite so sure about it. In the various parks they are developing more fully than formerly the educational feature, not of a technical character but to add to the enjoyment and profit of those who go there. There may be at the camp fire at night a nature talk with reference to either the flora or the animals of that region. They are the popular type and they are, in fact, popular with those who attend the park, but some question has been raised as to whether the appropriations can properly be used for that purpose. We could clearly have put language to this effect in each of the park appropriations and no point of order would have been good, but to simplify it we proposed this one paragraph, that would apply to all parks, and it relates to talks in the park.

Mr. STAFFORD. But I call the gentleman's attention to the fact that the language is broader than that. I have no objection to the paragraph if the gentleman will limit it to lectures given in the park. This phraseology would authorize the expenditure of money for lectures anywhere in the country. If we are going to pursue that policy, there should be some limitation on the amount of money for that purpose.

Mr. CRAMTON. The gentleman will notice the language:

Appropriations for the national parks and national monuments—
That means the appropriation for each of the parks and monuments—
shall be available for the giving of educational lectures.

And I will have no objection to adding the word "therein" at the end of the paragraph.

Mr. LaGUARDIA. Will the gentleman from Wisconsin yield?

Mr. STAFFORD. I yield.

Mr. LaGUARDIA. If the gentleman wishes to limit it, that is all right; but lectures of this kind would be very valuable in the cities.

Mr. STAFFORD. Oh, if we are going to pursue that policy, then this large appropriation should be limited for that purpose. We should not give permission ad libitum for promiscuous lectures throughout the country, allowing some specially designated employee to go here and there at the expense of the Government.

Mr. CRAMTON. The only thought of the members of the committee was for talks in the park areas, and if the point of order is not insisted upon I will move to amend by inserting the word "therein" at the end of the paragraph. I am sure the suggestion I have made will accomplish the purpose.

Mr. STAFFORD. Mr. Chairman, I withdraw the reservation of the point of order, with that understanding.

The CHAIRMAN. The gentleman from Michigan offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. CRAMTON: Page 106, line 3, after the word "lectures," insert the word "therein."

The amendment was agreed to.

The Clerk read as follows:

For the acquisition of privately owned lands and/or standing timber within the boundaries of existing national parks and national monuments to be expended only when matched by equal amounts by donation from other sources for the same purpose, to be available until expended, \$1,000,000: *Provided*, That in addition to the amount herein appropriated, the authority granted to the Secretary of the Interior in the Interior Department appropriation act for the fiscal year 1930, to incur obligations and enter into contracts for additional acquisition of such lands and/or timber is, to the extent of \$1,000,000, hereby continued until availed of as matching funds from outside sources are donated for the same purpose, and his action in doing so shall be considered contractual obligations of the Federal Government: *Provided further*, That the sum herein appropriated shall be available to reimburse any future donor of privately owned lands and/or standing timber within the boundaries of any existing national park or national monument to the extent of one-half the actual purchase price thereof: *Provided further*, That as part consideration for the purchase of lands, the Secretary of the Interior may, in his discretion and upon such conditions as he deems proper, lease lands purchased to the grantors for periods, however, not to exceed the life of the particular grantor, and the matching of funds under the provisions hereof shall not be governed by any cash value placed upon such leases: *Provided further*, That appropriations heretofore and herein made for the purchase of privately owned lands and/or standing timber in the national parks and national monuments shall be available for the payment in full of expenses incident to the purchase of said lands and/or standing timber: *Provided further*, That not to exceed \$200,000 of this appropriation shall be, and is hereby, authorized to be used in the fiscal year 1931 and thereafter for the payment in full of the purchase price of any said lands and/or standing timber as may be agreed to by the Secretary of the Interior, said amount to be matched by subsequent donations which are not allotted for the purchase of any specific lands by the donor, the total expenditure of the Federal Government in any one national park or monument for acquisition of such lands therein not to exceed 50 per cent of the total cost of such lands acquired hereafter in any such park or monument.

Mr. BLANTON. Mr. Chairman, I make a point of order against the paragraph because it contains numerous matters of legislation on an appropriation bill unauthorized by law.

Mr. CRAMTON. Will the gentleman reserve his point of order for the moment?

Mr. BLANTON. I will reserve it, but there are numerous provisions in this paragraph which are legislation pure and simple.

Mr. CRAMTON. I would not say quite that. There is no attempt at anything in the way of permanent legislation and no attempt to add any provision which has anything to do except with the particular appropriation carried in this paragraph.

Mr. BLANTON. But it enlarges the legislative authority that was given in the last appropriation bill and extends it.

Mr. CRAMTON. I will concede that there is some language there that is subject to a point of order, but I am sure the gentleman will not make it when I make my statement; in any event, I hope he will not. The first nine lines which make the appropriation are not subject to a point of order. There is authority for that. The provisos are all provisos that have been carried in connection with similar appropriations in the past. There is no change in the language from similar appropriations in the past, and that being the case and the provisos being provisos which protect the Government's interest, I hope the gentleman will not press his point of order. I repeat, there is nothing that has any effect beyond the life of this particular appropriation bill.

Mr. BLANTON. But when you once grant legislative authority to the departments in one annual supply bill they expect it to be repeated annually thereafter in every other supply bill that comes along, and the result of it is that the legislative committees of the House have almost ceased to function.

Mr. CRAMTON. Well, the important thing is that they have authority to spend the money for buying land. The appropriation is not subject to a point of order. The next provision is authority to enter into a contract.

Mr. BLANTON. There is language in the first paragraph and in the last one which is certainly legislation.

Mr. CRAMTON. Well, I am not contesting that, but I want to explain just what it means. The first nine lines of the paragraph are the appropriation, which is not subject to a point of order.

Mr. BLANTON. I want to ask the gentleman one question I am concerned about: Is the gentleman sure that there is no chance of any of these pretty large sums of money being expended unwisely and against the interests of the people of the Government? That is what I am concerned about.

Mr. CRAMTON. They are very carefully expended.

Mr. BLANTON. There is \$1,000,000 in one item and \$200,000 in another.

Mr. CRAMTON. No; it is all the same \$1,000,000; it relates to \$1,000,000 of appropriation and \$1,000,000 of authorization. There is already an authorization of \$1,000,000 to contract; but that has not been used. In my judgment that would have continued even if not carried here; but to avoid any controversy we insert this language, which makes it clear that there is that \$1,000,000, but no more; in other words, we gave them authority to contract to the extent of \$2,750,000; they have contracted to the extent of \$1,750,000, leaving authority to contract for \$1,000,000 more.

Mr. BLANTON. I will state to the gentleman another thing that is on my mind. I confess that if my confidence in the Department of the Interior is ever to be restored there ought to be some move made to remove an official who is under this department, who is kept on year after year and given increased appropriations to handle for the people. He is Dr. William A. White, out here at the St. Elizabeths Insane Asylum. If you would remove him I would begin to have confidence in this department in properly expending the money of the people.

Mr. CRAMTON. There is no service that is more careful in its public expenditures than the National Park Service.

Mr. BLANTON. I shall withdraw the reservation of the point of order.

Mr. LaGUARDIA. Mr. Chairman, I reserve a point of order. I want to ask the gentleman from Michigan—and he knows my aversion to these gifts—if he would object to an amendment in line 7 and line 15, page 106, which would insert just before the word "donation" the word "unconditional"? I do not want the Government to spend its money in the parks and have that money matched by private donations which are tied up with all sorts of conditions as to the name of the park or anything else.

Mr. CRAMTON. I will say to the gentleman that I fear the amendment he suggests might have complications which he does not intend. The donations which are now under way do not carry any such conditions. May I say, for instance, that the outstanding donation of this year—\$1,700,000

by Mr. John D. Rockefeller, jr., to cover the cost of acquiring 13,000 acres of wonderful timber land in the Yosemite—is absolutely without any strings. The same thing was true when he contributed \$5,000,000 toward half the cost of the Great Smoky Mountains Park. There were no strings to it whatever, so far as the name of the park, and so forth, was concerned.

Mr. LaGUARDIA. That being so, then, my amendment could not possibly hurt.

Mr. CRAMTON. Yes, it could; and in this way: A part of the language here provides that if a man owns a summer home in a park and he likes to go there each summer—

Mr. LaGUARDIA. We have been through that once before.

Mr. CRAMTON. Well, we want it so that he can give us a deed for that property and take back a life lease. There may be many conditions of that kind that could very properly attach, but the Park Service does not accept any such donations with a condition that John Jones's name is to be attached to it.

Mr. LaGUARDIA. Of course, I am not going to destroy the possible enlargement of our parks by making a point of order, now that the RECORD shows clearly that it is the intent of Congress that no conditions should be attached such as advertising the name of the donor or any business or anything like that. Of course, if this is abused, we will simply have to put an end to it.

Mr. CRAMTON. We have had quite a bit of experience now, and not only may I speak of the attitude of the Park Service but also the attitude of the donors. I know of no case where a donor has asked to have his name attached to the donation.

Mr. LaGUARDIA. And there have been no other unreasonable conditions?

Mr. CRAMTON. No.

Mr. LaGUARDIA. And that is true of the donations contemplated under this paragraph?

Mr. CRAMTON. Yes.

Mr. LaGUARDIA. I withdraw the point of order, Mr. Chairman.

Mr. CRAMTON. Mr. Chairman, I offer an amendment, which I send to the Clerk's desk.

The CHAIRMAN. The gentleman from Michigan offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. CRAMTON: Page 106, line 9, after the word "provided," insert:

"That the appropriation herein made shall be available to the extent of one-half the actual purchase price of the certain private holdings within sections 33, 34, 35, and 36, T. 4 S., R. 21 E., M. D. M., and sections 1, 2, 3, 4, 9, 10, 11, 12, 13, 14, T. 5 S., R. 21 E., M. D. M., California, and traversed in part by the Yosemite-Mariposa Grove road: *Provided further*—"

Mr. STAFFORD. Mr. Chairman, I reserve a point of order.

Mr. CRAMTON. I will be glad if the gentleman will reserve his point of order.

I will explain the amendment. The gentlemen know that Yosemite National Park is a mountainous region. There are elevations there several thousand feet higher than the floor of Yosemite Valley. One of the outstanding points of interest in the park, one of the world-known features, is the Mariposa Grove of great trees. The mountainous condition of the park is such that the road you travel going from Yosemite Valley to Mariposa Grove has to go outside the park for a little distance, and in order to authorize the building of the new road there we had to have special authority given.

This area is undeveloped except by a certain small hotel property, but the land has been subdivided, and at the present time there is nothing to prevent these lots being sold for summer homes, and so forth, and a great development carried on.

I learned a few days ago, after the bill was reported, that a certain source is prepared to contribute half the cost of acquiring this area if available at a reasonable price and donate the land to the Federal Government, which would

be followed, of course, by acquiring a little niche which would straighten out the boundary of the park and add this area to it.

Mr. STAFFORD. Has the gentleman any idea as to the total cost for the acquisition of this land?

Mr. CRAMTON. Very possibly it will cost us more than the lands are worth on the basis of any past revenue, but the price paid will not be greater than the donor feels he can stand for.

Mr. STAFFORD. Are they heavily wooded?

Mr. CRAMTON. They are beautifully timbered, and we need the land for the protection of this new highway. Furthermore, the timber is being cut from time to time by the owners.

Mr. STAFFORD. Mr. Chairman, after the explanation of the gentleman, I withdraw the reservation of a point of order.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan.

The amendment was agreed to.

The Clerk read down to and including line 18, on page 111.

Mr. MURPHY. Mr. Chairman, I move to strike out the last word.

I offer this motion, Mr. Chairman, for the purpose of stating at this time that as the hour is growing late and it is the desire of the committee, I am sure, to conclude the consideration of this bill to-day, although I had planned to pay a tribute of respect to the great chairman of our subcommittee I shall defer doing so until some future opportune time when I shall ask unanimous consent for that privilege.

The pro forma amendment was withdrawn.

The Clerk read as follows:

COLUMBIA INSTITUTION FOR THE DEAF

For support of the institution, including salaries and incidental expenses, books and illustrative apparatus, and general repairs and improvements, \$125,000.

Mr. TILSON. Mr. Chairman, I move to strike out the last word. We are approaching the completion of this bill. It had been my intention to ask the indulgence of the committee to make some remarks about the chairman of the subcommittee, whose bill we are now considering. I have had to change my mind, except for just a word, since I find that there are so many others who wish to talk on the same subject that we would probably not finish the bill this afternoon. So it seems to me that a little later we may have a special hour when there will be a little more time in which we may say something of the great value of Mr. CRAMTON's services in this House and to the country. [Applause.]

When we have such an opportunity I wish to speak of it from the standpoint of the floor leader of the House. I wish to refer to what his services have meant in the transaction of the business of the House. In that respect he holds a unique position among the Members of this House.

Just this afternoon we had an illustration, one of the best we possibly could have had, of the way in which he impresses himself upon the membership of the House. Two very watchful Members of the House, the gentleman from New York [Mr. LaGUARDIA] and the gentleman from Texas [Mr. BLANTON], each in his turn pounced upon one paragraph of this bill which contained matter subject to a point of order. When the gentleman from Michigan [Mr. CRAMTON] had made his explanation, so clear and so convincing, both gentlemen withdrew their points of order, so great was their confidence in the judgment and integrity of the gentleman from Michigan [Mr. CRAMTON]. At some later day I hope to have more time to speak on this subject. [Applause.]

The pro forma amendment was withdrawn.

The Clerk read as follows:

Toward the construction and equipment of a general library building, \$400,000, to be immediately available, and the Secretary of the Interior is authorized to enter into contract or contracts for construction and equipment of such a building to cost not to exceed \$800,000.

Mr. WOODRUM. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 119, lines 8 to 12, inclusive, strike out the paragraph.

Mr. CRAMTON. Mr. Chairman, before the gentleman from Virginia proceeds in support of his amendment I would like to limit debate on this paragraph and all amendments thereto. If it is agreeable to the gentleman, I ask unanimous consent that all debate on this paragraph and all amendments thereto close in 10 minutes, and the gentleman from Virginia to be given 5 minutes.

Mr. WOODRUM. I only desire five minutes, but I do not think that debate ought to be limited to a statement on one side and one on the other in a matter of this kind.

Mr. CRAMTON. Are there further demands for time?

Mr. WOODRUM. I do not know whether there are or not.

Mr. CRAMTON. Then, Mr. Chairman, I will ask that all debate on this paragraph and all amendments thereto close in 20 minutes, 10 minutes on a side.

The CHAIRMAN. The gentleman from Michigan asks unanimous consent that debate upon this paragraph and all amendments thereto be limited to 20 minutes. Is there objection?

There was no objection.

Mr. WOODRUM. Mr. Chairman, ladies and gentlemen of the committee, the effect of this amendment is to strike out of this bill a provision put in there by the subcommittee over the protest of the Bureau of the Budget and the Secretary of the Interior, providing for the beginning of construction of a library building for Howard University.

Now, ladies and gentlemen of the committee, we thought we had adopted a policy on these appropriation bills under the leadership of our chairman of confining appropriations to absolutely necessary projects. In line with that policy, we denied the Government employees an increase in their salaries, which had been approved by the Budget and the President.

We come to this bill, in which there is a provision for Howard University. The Bureau of the Budget recommended \$1,160,000 for this university for this year. The university went to the Bureau of the Budget and the Secretary of the Interior and asked for a library building. I have no way of knowing what was said to them, but I do know that it was not approved, and I do know that you will find in the hearings before the subcommittee, on page 22, a statement by the Secretary of the Interior responding to questions by the chairman of the subcommittee in which he announced that he does not think that the appropriation for this university should be materially increased at this time, but that the university should gradually be put on a basis where it would not be dependent for Federal appropriations.

In spite of that—in spite of the announced policy of the committee and of Congress to conserve the resources of the Government—in the face of a tremendous deficit, in order to enable us to appropriate liberally for the relief of human suffering, we are called upon now by this subcommittee to include here the building of a library for this university which will cost \$800,000.

Mr. SPROUL of Illinois. Mr. Chairman, will the gentleman yield?

Mr. WOODRUM. Yes.

Mr. SPROUL of Illinois. The \$400,000 appropriated will employ a lot of men here who are out of employment.

Mr. WOODRUM. If there is one place on the face of the earth that does not need unemployment relief it is the city of Washington. The city of Washington does not know the conditions that exist all over this country, in your district and in mine. There is no unemployment in Washington except among those who have drifted in here from outside territory. All of the Federal construction has continued; all of the Federal employees have continued to draw their pay checks; and not only that, but you will observe from these hearings that this appropriation commits the Congress to a system of appropriations that will run up in 1935 to a demand of over \$3,000,000 from the Federal Government.

Entirely separate and apart from the fundamental question of whether the Federal Government ought to contribute anything to an institution of this kind, we are faced with the fact that we can not justify the action of our committee—the committee of which I am a member—in denying the money to the Government employees and at the same time of appropriating this money for the building of this library. No matter how desirable it may be, it certainly is not a necessity at this time. This Government has been liberal with this educational institution, and in this bill the Bureau of the Budget recommends to Congress \$1,160,000 for their activities, and included in that is a sum of about \$250,000 for the completion of a classroom, \$225,000 for the building of an underground heating system, and none of those items are interfered with by my amendment. I simply want to say to Howard University, as we have said to the Government clerks and other Government activities, that in these perilous times in our Government they must economize and be reasonable in their demands, and that only unnecessary and unreasonable demands will be denied.

The CHAIRMAN. The time of the gentleman from Virginia has expired.

Mr. MURPHY. Mr. Chairman and members of the committee, I am amazed at the statement of my friend from Virginia [Mr. WOODRUM], who claims to be a lover of an underprivileged people, when he comes before this committee this afternoon and protests the furnishing to these people of educational facilities. I ask the gentleman, what he expects the future to bring to the 10,000,000 colored men and women and boys and girls in America, if he is going to deny them an opportunity for education? Will the gentleman answer that?

Mr. WOODRUM. I say to the gentleman that if he was in the room when I made my speech he would not ask such a question. I have not advocated any such proposition as the gentleman insinuates.

Mr. MURPHY. Then I say to the gentleman that he speaks so loud that I can not hear what he says.

Mr. WOODRUM. The gentleman has asked me a question, will he permit me to answer it?

Mr. MURPHY. That is all right; the gentleman need not answer it.

Mr. Chairman, I do not rise here in a controversial spirit, but I do believe that this great Government of ours should spend some money to furnish educational facilities for the 10,000,000 colored men and women of this country. We are spending in this bill \$23,000,000 to look after the Indians and the Eskimos and a lot of other folks that are underprivileged in this country, and we are asking now something here to build up an educational institution that will give to the colored race an opportunity to do for themselves something worth while, will make it possible for them to enjoy under our Government the opportunities that we with the white skins enjoy.

They are not here of their own motion. Some one brought those colored people here. They are our responsibility, and all we are doing and all we are asking is a chance to educate them. I am sure that the gentleman from Virginia [Mr. WOODRUM] and the other gentlemen who profess to care so much about the colored folks will join me and other members of this committee to-day in voting to the colored people, 10,000,000 of them, an opportunity for education. The other day our committee visited this institution. We found the students there standing around against the walls, with no chairs to sit on, or all of them taken, and there were only a few of them. They are cramped in their quarters, they have not room enough. They have their books in their hands as they stand against the wall studying. They can not go into the Congressional Library and get books, they can not go to the Carnegie Library or any of the public libraries to secure textbooks for their education. There are more than 2,000 of them in this wonderful school. There is quite a number from my district in schools here, and we need educated colored men and women to take care of the health and to teach

those coming up from the South to work in our mills who do not understand the liberties in Ohio and in other States of the North. They are over in that school from my district, and I want them to be in that school, because if they are educated the right way they will go back into my district and into yours, and they will be no trouble to you. Your taxes will not be expended in arresting them and causing them all sorts of distress. No; you will be proud of them, because they are taught real Americanism in this school. I wish that every Member of this House could have been with us the other day when we visited this great school for the colored people. I wish they could have heard them sing—and, oh, how little they have to sing about, how little they have to look forward to. The lines are drawn against them everywhere, and here in the House of Representatives I find some of my good friends, for whom I have high personal regard, seeking to limit their opportunities for education. I hope the amendment of the gentleman will be defeated.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. BYRNS. I know that those who come from the section from which I come, always, when we undertake to speak to an amendment of this sort, have to combat what is in the minds of some to the effect that we are influenced by a question of race prejudice. God knows there is nothing of that kind in my heart. There could not be. I was born and raised on a farm and the dearest recollection of my youth is that of an old colored man who lived on that farm until he was called to a noble reward.

I used to go down to his little cabin and sit upon the step while he sat in his door, on twilight evenings in the summer time, after supper, and listen to him as he picked the banjo and sang southern plantation melodies and crooned songs peculiar to his race. I would sit there and listen to his music and his stories until my mother would call me to come home. I believe I thought more of old Dan than anybody, except my parents. So I am not influenced in what I say with reference to this amendment by any question of prejudice against the colored race. We are confronted with a deficit of probably \$400,000,000. The President has sent a message here in which he has urged Congress to economize. He has failed to recommend this appropriation. The Secretary of the Interior has failed also to ask for it. The Director of the Budget has refused to submit it. Why should Congress in face of the situation which confronts us at this time, undertake to put \$400,000 into this bill? It is not a question of education. In my State there is no distinction made between the two races when it comes to educating them. The Negro race in Tennessee has the same opportunities of free schools as the white people. They have State normal schools in which to train their teachers.

We have Fisk University in the city of Nashville, the greatest colored university in this country. It receives no Government aid. It has a splendid campus and offers the finest advantages for a higher education to the colored youth. Why should the Government contribute to Howard and not to Fisk University? In fact, the Government makes no donation to schools of any race except to this one—and to certain schools of the Indians who are wards of the Nation. There ought not to be any such discrimination. The Federal Government should not be asked to maintain any university.

As I say, this is not a question of education. It is a question of building a library building which is going to cost \$800,000 before it is completed. In 1927 we appropriated \$568,000 for Howard University, and to-day, under the Budget estimate, we were asked to appropriate \$1,160,000, and the committee has increased that to \$1,560,000 at this time when, as the gentleman from Virginia [Mr. WOODRUM] says, you are denying other increases on the ground that we are confronted with a deficit. Why should we undertake to make a distinction in this case? We will never be able to explain to the people why we have increased this appropriation without even a recommendation from the President or the Secretary of the Interior, when our tax-

ation burdens are greater than they have ever been in peace times.

My good friend Mr. SPOUL said it was a question of taking care of unemployment. He was answered by the gentleman from Virginia [Mr. WOODRUM], but let me tell him also that this appropriation does not go into effect until July 1, and we all know it will be a year after that probably before plans and specifications are ready and work begun upon this building. So do not put it upon that ground.

Under the circumstances we ought not to make this appropriation at this time. It can not be justified on the ground that it is to relieve unemployment. Do you suppose the President would have refused it if he thought it was necessary? I hope the amendment will be adopted.

Mr. CRAMTON. Mr. Chairman, I recognize the peculiar interest of the gentleman from Illinois [Mr. DE PRIEST]. There is only five minutes left, and I want to use some time, but if it can be done, I will be glad to yield two minutes to the gentleman from Illinois [Mr. DE PRIEST]. I ask unanimous consent that the gentleman from Illinois be recognized for two minutes, and then that I have three minutes.

The CHAIRMAN. The Chair will recognize the gentleman from Illinois. If the gentleman closes in two minutes, there will be three minutes remaining.

Mr. DE PRIEST. Mr. Chairman and members of the committee, I am surprised to hear some of the gentlemen of this House use the unemployment situation as a smoke screen to defeat the purpose of this bill to appropriate \$400,000 to construct a library at Howard University. I appreciate the great love they have for these people of mine in the Southland, where most of them were born, but I can not appreciate failure to give them an opportunity to become better citizens and become better educated.

Howard University acts as a clearing house to furnish teachers to the negro children of the Southland. They are not allowed the privilege of going to the normal schools in the Southland, where they instruct men and women to become better instructors in the schools, so most of them come to Howard University in Washington to receive that education so necessary to go back to the Southland and educate the black youth.

I know of no States which would be benefited by this appropriation quite so much as the States south of the Mason-Dixon line. I hope that every Member from the South, who loves my racial group so very, very much, will vote for this appropriation. I appreciate the close contact they have had with them. I have heard some of them say time after time that they had suckled at the breasts of black mammies, and I suppose that is true. They nourished and grew fat over it. Let the negro boys and girls that come to Howard University have the best opportunities possible for the Government to give them, to become more efficient and to become better citizens, and help make the negro youth of this country better citizens by giving them better instruction and better education.

I hope that this will receive the unanimous vote of the Members on the opposition side of the House. I am satisfied if they will think a second time they will vote, as I expect to vote, for this appropriation.

Mr. CRAMTON. Mr. Chairman, the item before us has never specifically come to the attention of the President of the United States. It has had the consideration of the Secretary of the Interior. I am obliged to correct my friend from Tennessee [Mr. BYRNS]. It has not been turned down by the Secretary of the Interior. I hold in my hand a letter in which the Secretary of the Interior urges this appropriation. It is immediately available—

Mr. BYRNS. Why did he not recommend it to the Bureau of the Budget if he is for it?

Mr. CRAMTON. Well, he did recommend it to the Bureau of the Budget.

Mr. BYRNS. And the President did turn it down.

Mr. CRAMTON. I decline to yield further. It is recommended by the Secretary. It is part of a great program to make Howard University the educational leader of all the institutions of the country for the negroes. As the gentleman

from Illinois [Mr. DE PRIEST] has said, it means much to the South, where there is an educational awakening for the negroes. Five thousand schools have been built in the South by the Julius Rosenwald Fund, and all of those schools must have the best teachers available.

We propose this because it is meritorious, because Congress has directed the development of Howard University through Federal contributions, and, with that direction, our committee has studied a very definite program of expansion, of which this is one item. This is a very meritorious item, because, with 2,000 students, there is only seating space for 140 in the library. There are not shelves for the books. They have thousands of volumes given to them by philanthropic people and organizations housed in basements and unused. It is a meritorious item. If it were not something for the colored race, there would not be the same attack made upon this item. [Applause.] I say that in good feeling, but there have been items in this bill for the Indians, for the construction of a hospital in the district of the gentleman from Colorado [Mr. TAYLOR], for construction for the Sequoyah School in Oklahoma; new construction items, if you please, just like this, that were not recommended by the Budget, but because our committee thought they were wise and needed improvements we approved them.

The CHAIRMAN. All time has expired.

Mr. SABATH. Mr. Chairman, I ask unanimous consent to extend my remarks on this question, being deprived of an opportunity to speak upon it.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois [Mr. SABATH]?

There was no objection.

Mr. SABATH. Mr. Chairman, ladies, and gentlemen, I fully realize the grievous charges, of reckless waste and expenditures of moneys that this House has in good faith appropriated, that have been made against the present administration; and were it not for the fact that I believe that justice should be done to deserving people I would hesitate before casting my vote for the pending bill.

I feel that the appropriation of \$1,560,000 for Howard University, although large, is entitled to my vote and to my support, especially in view of the fact that \$800,000 of this sum will go to the erection of a sadly needed library building. In addition thereto I feel that it would be manifestly unfair and unjust for us to refuse, especially at this time, when every effort should be made to create employment for the millions unfortunately unemployed, to vote for this appropriation; for, I am informed, and the report shows, that to-day, while there are 2,100 students in this university, and though it possesses 15,000 volumes of splendid books, the library can accommodate only 50 students at one time, thereby depriving hundreds upon hundreds of students of access to the library for purposes of study. Such conditions should not be permitted to exist and demand immediate attention.

I am familiar with the splendid work of this institution for nearly a quarter of a century, and am therefore in a position to recognize its achievements. I therefore can not help but admire the wonderful progress that it has made and the service which it has rendered to the colored youth of America. And so I feel that any appropriation for educational purposes, no matter how large—especially for a race or group of people that are discriminated against in other institutions—should be aided and supported, since they are certainly entitled to at least some of the opportunities afforded to others to a much larger degree.

Our duty, I feel, is plain. We should provide high educational facilities for the colored people. Because this institution is purely for the colored does not signify that we should, as many of the States unfortunately do, refuse to do our full share in providing all of the proper facilities so urgently needed for their higher education.

Not only will the colored race be benefited by this institution but the entire Nation will derive its share of benefit from the meager investment proposed in this bill.

I am gratified to know that, notwithstanding certain prejudices, the great majority of Members on my side of the House are in favor, and have been in favor, of this appropriation, about whose passage, I am confident, there is no question.

The CHAIRMAN. The question is upon the amendment offered by the gentleman from Virginia.

The question was taken; and upon a division (demanded by Mr. Woodrum) there were—ayes 25, noes 128.

So the amendment was rejected.

The Clerk read as follows:

Total, Howard University, \$1,560,000.

Mr. BLANTON. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I have been one of those from the South who during my entire 13 years in Congress has voted to uphold and foster and protect Howard University. I have done it under criticism. I have not a negro vote in my primary; not one. I have done it because I have firmly believed that the money which we have spent on Howard University in furnishing colored teachers to the United States, in furnishing colored doctors, colored nurses, and colored dentists, is some of the best-spent money that we have ever used for my Government. [Applause.]

In my last campaign I had some critics nosing around over my district calling attention to the fact that from time to time I had stood upon this floor and voted for items for Howard University and asking the people of my district to turn me down. I want to say to my colleagues on the Democratic side that that question was thrashed out in my district, and I want to say that with an American Legion committeeman running against me in the last primary the people gave me 23,000 majority. So the people of my district in that way have approved the money that this Congress has spent upon this colored institution.

In the State of Texas, where I live, the legislature of my State has wisely provided for the colored youth. I want to say to the Member from Illinois that in addition to having a normal school at Prairie View, Tex., for the colored youths of the State there is also a college at Austin, known as Tillotson Institute, for the colored youth of my State. They are being educated there, and, so far as my State is concerned, the colored youth is taken care of. But there are States in this Union which have to depend upon Howard University for furnishing colored nurses, doctors, dentists, and teachers.

I wanted to say this word in explanation of why I could not support my good friend from Virginia [Mr. Woodrum] and my good friend from Tennessee [Mr. BYRNS], two of the finest men of the floor of this House, men whom I follow on practically every other question in this House. I want to say that it was no affront that I could not follow them on this question, and I offer this in explanation for supporting the Howard University item. [Applause.]

The pro forma amendment was withdrawn.

The Clerk read as follows:

FREEDMEN'S HOSPITAL

For officers and employees and compensation for all other professional and other services that may be required and expressly approved by the Secretary of the Interior, \$197,000; for subsistence, fuel, and light, clothing, to include white duck suits and white canvas shoes for the use of internes, and rubber surgical gloves, bedding, forage, medicine, medical and surgical supplies, surgical instruments, electric lights, repairs, replacement of X-ray apparatus, furniture, including not exceeding \$300 for the purchase of books, periodicals, and newspapers; and not to exceed \$1,200 for the special instruction of pupil nurses, and other absolutely necessary expenses, \$93,000; for a hospital addition for clinical activities, including necessary equipment, advertising for proposals, preparation of plans, and supervision of work of construction of said building, \$97,000; in all, for Freedmen's Hospital, \$387,000, of which there is hereby appropriated \$193,500, an equal amount to be transferred to the credit of this appropriation from the applicable appropriation for the District of Columbia.

Mr. CRAMTON. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Michigan offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. CRAMTON: On page 120, line 5, after the word "which," strike out the remainder of the paragraph and insert the following: "amount one-half shall be chargeable to the District of Columbia and paid in like manner as other appropriations of the District of Columbia are paid."

Mr. CRAMTON. Mr. Chairman, I will only say this: The amendment does not change the effect of the paragraph, which is to make half of the appropriations for Freedmen's Hospital chargeable to the District. The language I am now suggesting is the same language that was carried last year. The Budget suggested the language which is carried in the bill as reported, but I have been advised by the clerks, and I have experienced the same thing myself, that the new language is a little confusing, and hence I ask that we return to the old language.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Michigan.

The amendment was agreed to.

The Clerk read as follows:

SEC. 3. No appropriation in this act for the fiscal year 1932 shall be used during such fiscal year to increase the compensation of any position within the grade to which such position has been allocated under the classification act of 1923, as amended, nor to increase the compensation of any position in the field service the pay of which is adjustable to correspond, so far as may be practicable, to the rates established by such act as amended for the departmental service in the District of Columbia.

Mr. LA GUARDIA. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from New York offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. LA GUARDIA: On page 120, strike out all of section 3.

Mr. CRAMTON. Mr. Chairman, before the gentleman from New York proceeds to speak on his amendment, I would like to see if we can fix a limitation on debate. It is very late in the afternoon, and for the convenience of the Members I would like to secure as short a limitation as will be satisfactory to the Committee of the Whole. I ask unanimous consent that all debate on this paragraph and all amendments thereto close in 10 minutes, the gentleman from New York to have first recognition.

Mr. BEEDY. Mr. Chairman, I hope the gentleman will be more generous than that. I have not taken a moment of the committee's time on this bill, but I would like five minutes on this paragraph.

Mr. CRAMTON. The committee will understand it is quite immaterial to me, but we desire to finish this bill to-day.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

Mr. FREAR. Mr. Chairman, reserving the right to object, there are others who wish to talk on this for a few moments.

Mr. CRAMTON. Mr. Chairman, I ask unanimous consent that debate close in 30 minutes, of which 15 minutes will be for and 15 minutes against the amendment.

The CHAIRMAN. The gentleman from Michigan asks unanimous consent that all debate on this paragraph and all amendments thereto close in 30 minutes. Is there objection?

There was no objection.

Mr. LA GUARDIA. Mr. Chairman, I want to call the attention of the committee to section 3, which I have moved to strike out. It has become known as the Wood amendment, to prevent increases in salaries. This is a wrong description of the section, because the section does more than to prevent the increasing of salaries. In many instances it will work an actual decrease in salary. I am sure no Member of this House desires to do that.

I want to call the attention of the committee to the fact that Congress is committed to the employees of the Government to a certain salary scheme, which carries with it automatic increases within the grades. Permit me to read part of section 7 of the classification act of 1923. It is a short sentence and provides:

Increases in compensation shall be allowed upon the attainment and maintenance of the appropriate efficiency ratings to the next higher rate within the salary range of the grade.

Mr. BANKHEAD. From what is the gentleman quoting?

Mr. LA GUARDIA. From the classification act of 1923. In other words, a man's salary may be fixed at \$1,600 or \$1,800. That is salary plus what? Plus the obligation that if he attains a certain efficiency rating he goes up to the next rate within that grade.

Why, only this morning, gentlemen, I was over at the Office of the Census, and they had some 800 girls working on the machines there. Each girl receives a certain fixed salary, but they must turn out so much work or so many cards a month. If in any month they fail to turn out the standard required they fall down to the next grade. If they turn out more work they are promoted to the next rate within the grade. If the Wood amendment or the Wood section remains in the bill, what happens? These girls will be penalized if they do not work up to the standard required, but they would not get the benefit of the contract. Certainly that is a decrease of salary. So much for that.

The gentleman from Indiana the other day made the most astounding statement on the floor of the House that this was justified because the cost of living had decreased 30 per cent, and I invite just one moment of consideration on the part of every member of this committee of the question of whether the cost of living has gone down 30 per cent. Has your rent gone down 30 per cent, has the price of clothes gone down 30 per cent, has food gone down 30 per cent? Not at all. Such a statement requires no answer.

Attention was called a few days ago to the number of employees getting \$4,000 and \$5,000. Right here in this bill in the Department of the Interior there are 1,181 employees in the District of Columbia getting \$1,620 and less—it goes way down from \$1,620. In the field, under the bill now under consideration, in the Department of the Interior there are 5,868 employees getting \$1,620 and less.

I want to say to my Republican friends that the attempt to write in this limitation does not meet with the approval of your own administration. Since this House sustained the Wood amendment in the Treasury appropriation bill, the Assistant Secretary of the Treasury, speaking for the Treasury Department, appeared before the Senate committee and asked to have that section stricken out, and the committee did so. I think the House will see fit to do so in this bill by supporting my amendment. So I want to say to my good friend from Indiana, if he wants to become an insurgent, come on and I will show the gentleman how to become an insurgent, but this is not the kind of insurgency that we stand for. [Laughter and applause.]

The CHAIRMAN. The time of the gentleman from New York has expired.

The CHAIRMAN. The Chair begs to observe that it is not necessary for every speaker to occupy the full five minutes. The last speaker used the full five minutes, but if any speaker leaves any portion of his five minutes unused, the Chair will be careful to see that some other gentleman gets the time.

Mr. BEEDY. Mr. Chairman, is the Chair recognizing alternately those for and against the amendment?

The CHAIRMAN. The Chair is recognizing those who were on the floor seeking recognition in the order that they came to his notice, and the Chair will do the best he can about the division of the time.

Mr. BEEDY. Mr. Chairman and gentlemen of the committee, I want to congratulate the gentleman from New York in joining me and taking the same position that I take upon a question of public policy. There are other issues which concern the public well-being, upon which I trust he will also join me and I invite his future assistance and cooperation.

I have taken little of the time of the committee on this bill, but I did want just about four minutes on this section.

When I first read section 3 I confess I was somewhat at a loss to understand just what it meant, and after reading it more than once I was in some doubt. In discussing

it with Members of the House I found there was more or less confusion as to its exact meaning. If this section were to voice a policy which laid down the rule that we would not sanction any further law the purpose of which was to raise the salaries of employees I should certainly join with the chairman of this committee in support of it. But that is not all that this section accomplishes, as it is phrased.

I caused to be prepared a chart or a brief statement of the method in which the section would operate for the Treasury and Post Office Departments. It has been in the lobby for the past few days.

I took grade 6—and any other grade would suffice—where the minimum salary provided is \$2,300 and the maximum \$2,900. A man who is employed at \$2,800 resigns or dies and a vacancy occurs.

A new man has to be put in, and he takes a position at \$2,300 to fill the gap. But he goes in not at the top with a \$2,800 salary but at the bottom of the list within the grade. Now, you will perceive there is just \$500 less in total salaries paid within the grade from money already appropriated.

If section 3 is adopted, this \$500 must be turned back into the Treasury and can not be divided up for the increase of salaries for other men within the grade.

There are many departments in the Government that have no money for increase of salaries except that which they save through deaths and resignations. Since this section 3 would cause the \$500 saved, as I have illustrated, to be taken by the Government and put back into the Treasury, I am opposed to it.

Mr. WOOD. No.

Mr. BEEDY. What becomes of the \$500? That is the only money available to increase salaries within the grade. If you forbid the increase of salaries within the grade, as section 3 provides, the distribution of this money would raise the salaries within the grade in contravention of the terms of the section. Thus the adoption of section 3 would authorize the Government to take back money which has been appropriated to pay Government employees for the services they render. I am opposed to it.

While I am opposed to any wholesale increases in salaries at this time, I certainly do not favor any reduction of salaries.

I think we pay our Federal employees little enough. It would break the morale of the men in various departments who have worked for some years under the classification act if you thus deprive them of its benefits. You virtually destroy the operation of the act. [Applause.]

The CHAIRMAN. The time of the gentleman from Maine has expired.

Mr. FREAR. Mr. Chairman, I have not taken any time of the committee on this bill, and I will not consume more than the time allotted to me. It would seem that as reasonable people, having under consideration a matter as important as this is, we ought to act with justice to the employees of the country who, as I understand it, already have been allotted but not paid by Congress this increase in salaries. All that remains is to carry out our contract, our pledge given these employees when the act was passed by Congress. That we should do by appropriating the money to keep our promises.

There is no place in the United States where the cost of living is as high as in the city of Washington, with one or two exceptions. You all know that, because it has been placed in the Record repeatedly. A dollar to-day may not go half as far as when some of these employees first entered Government service, but they are unable now to change their occupation or help themselves. They have believed a promise by Congress is made to keep and are waiting for the pay adjustment we promised them. Not one of these employees has spoken to me or, so far as I know, written me on the subject. They expect that is unnecessary.

There are over one hundred and forty-odd thousand employees, according to the statement read by my friend the gentleman from New York [Mr. LaGuardia]. These employees receive from a few hundred to \$1,600 maximum an-

nual pay. They are the people who need every dollar promised, particularly where they have families to support. These underpaid employees, as a rule, form the great majority of those working for the Government in Washington and throughout the country. We are trying to give aid to the unemployed, and should do so to the underpaid.

What is the most important thing for us to do in justice to these people? Shall we close our eyes when appropriating hundreds of millions of dollars for many questionable or wasteful or unnecessary projects and neglect these employees? Many years ago I was a Government clerk for a short time here in Washington, and I know what it is for clerks to support their families. A few are well paid, but many are not. We propose soon to appropriate \$30,000,000 to \$40,000,000 for reconditioning some old war vessels in time of peace. They are now, or soon will be, only fit for naval targets. So we are throwing good money away to prolong their use for a short time. That we are asked to do, but we are warned against keeping our word with these employees by the provisions which the LaGuardia amendment will strike out.

Is it better for us to put \$80,000,000 or more—and that is what we are expected to do—for the new naval building bill, in addition to the \$375,000,000 annually given naval affairs, all in time of peace, rather than distribute 1 per cent of that naval money among Government employees whose promised pay we adjusted long ago but did not pay? We are all sensible, or we ought to be, on matters of this kind, and we should act sensibly and justly. I appreciate the responsible work of the Appropriations Committee. It has done good work on this bill, but I am sure, in the purchase of parks, road building, and like items, running into many millions of dollars, few items are more worthy than this pay promised to the employees of the Interior and all other departments. I can not believe that a matter of this kind ought to go through with the Wood amendment, specifically repudiating our promise. I do not believe the Senate will permit it to occur, and I hope to see the House sustain the Senate in its action as reported in the last appropriation bill which retained this same provision, when many of us were absent from the House. It ought to go out of that bill and also out of this bill.

One more thought, and I am through. I sat in this House when the proposal was made that our salaries should be increased from \$7,500 per year to \$10,000 per year. I did not vote for it, because I said I could not conscientiously, as a Member of Congress, vote to raise my own salary. I believe the House voted at the short term, after many Members elected to serve the following term were confronted with the raising of their own pay. I thought it was the right thing to have the pay raised, and I was glad it was done, because the increased amount was shown to have a less purchasing power than the former salary when first given. I accepted the money. We increased our salaries from \$7,500 to \$10,000, and yet we are asked to refuse to do for these people what we did for ourselves, and after we have agreed by law that they should have these adjusted salaries. The reasoning in our pay raise applies equally to them—the changed value of the dollar. We will give, possibly, \$40,000,000 for reconditioning old war vessels, and \$80,000,000 this session for building these other war vessels in time of peace, and a billion-dollar proposal you will have before you soon for building new naval vessels. A tremendous lobby will urge this building program, while we quibble over this promised pay raise for clerks who, so far as I know, have not dared to communicate with us. I would like to stand by the committee, as the gentleman from New York [Mr. SNELL] said yesterday, but with a proposition of this kind you can not do so in justice to the employees of the United States who by law, we have said, are underpaid. [Applause.]

Mr. PATTERSON. Mr. Chairman, I am for the LaGuardia amendment. I am for it because I think it is just and fair. The farmer's condition is bad, and I am doing what I can for him. In fact, that is why I am for this, for it is for his sons and daughters, and, too, before we

ever solve this problem we now have, we must do more for the common man. I am fighting the battle for the farmer and all workingmen. The common man must be cared for. It is merely giving to these people what they ordinarily are entitled to; and I tell you there are many men here in Congress who a year ago voted to give back \$160,000,000 of tax money to the wealthy people of the country, and yet we want to deprive these poor people here, who are struggling for the necessities of life, of this opportunity that the law gives them. Living expenses in the District of Columbia have not decreased, and I challenge any man to show by figures where living expenses have decreased in the District of Columbia or in this country to any material extent. This is not only a question of violating the fundamental rights of an employee, but it is wrong fundamentally to try to cure the industrial depression in a way like this. It can not be cured by depriving the common man of a living wage. The striking out of the Wood amendment is no disadvantage to farmers or workingmen in the country, but an advantage.

There is also this effect, as many see it, that it will have the same effect as to reduce the income of any man who is promoted. Members of this House hear me. We have a great depression on in this country, and such superficial dealing with a problem as this can never solve it. We must face the situation and strike out boldly and try to go deeper than the surface to solve this problem. I regret that the administration persists in dealing with the conditions which face the country in a manner which makes one feel that they regard them entirely as temporary.

It seems to be the policy of some—many millions in subsidy for ships, airplanes, and big utilities, as well as large tax refunds and gifts for the wealthy but not anything for the worker, and I stand against such a system and for more income to the common man.

I call on those who love justice and fairness to join in the move to settle this question once and for all, and settle it right.

Mr. CRAMTON. Mr. Chairman, of the remaining time I ask unanimous consent that the gentleman from Indiana [Mr. Wood] may proceed for 10 minutes.

The CHAIRMAN. The gentleman from Michigan asks unanimous consent that the gentleman from Indiana may proceed for 10 minutes. Is there objection?

There was no objection.

Mr. WOOD. Mr. Chairman and gentlemen of the committee, I have been called almost everything. I have been called a standpatter until I got used to it, but this is the first time I was ever called an insurgent. [Laughter.] This has been denominated the Wood amendment. Somebody said to me the other day that they did not see why all of this castigation should be directed against me. There are 199 other Members of this House who voted on this proposition the other day, and certainly they are entitled to bear some of it. The entire Appropriations Committee with one exception—

Mr. GRIFFIN. Two.

Mr. WOOD. With two exceptions should share this responsibility with me. I have no apology whatever to make for what I have done with reference to it. It is up to this Congress to do exactly as it pleases. Charged with the responsibility as chairman of the Committee on Appropriations, it occurred to me that it was my duty to present the views of the entire committee, with those two exceptions, to this House for its consideration. The gentleman from New York [Mr. LaGuardia] quoted only a portion of the law with reference to what increase in compensation should be allowed. He failed to read this part:

That in no case shall the compensation of any employees be increased unless Congress has appropriated the money from which the increase may lawfully be made.

That is the law. These grades may not be increased, they may not be stepped up—

Mr. GRIFFIN rose.

Mr. WOOD. I do not yield now to anyone. These grades may not be increased, they may not be stepped up, unless

the Congress of the United States appropriates the money. We are the final judges as to whether these step-ups shall be made, and they are not to be made under the law unless we appropriate the money. Much has been said here and through the press to the effect that I am violating the edict of the President of the United States or the Budget. In the Post Office and Treasury appropriation bill there were estimates to the extent of \$20,000,000 that were denied which had been recommended by the President of the United States and by the Budget. Is anybody criticizing us for that? If we were in violation of what the President wanted in this matter and that was recommended by the Budget, we were also wrong in denying this other \$23,000,000. Are we mere puppets, are we to be guided and controlled constantly and entirely by recommendations from the Budget and recommendations from the President? If so, then adjourn Congress, because there is no need for it. If the Budget is to be the arbiter, to decide what appropriations are to be, if the President is to be the dictator of what appropriations are to be, then there is no use for a Congress of the United States. [Applause.]

I say to this committee that I take pleasure in speaking for the 120,000,000 who have no representation through organizations here. I know how you have been belabored. I know the influences that have been brought to bear on every Member of this Congress to get you to support this amendment submitted by the gentleman from New York [Mr. LaGuardia]. All sorts of misrepresentations have been made with reference to it. The so-called Wood amendment does not reduce the salary of a single person, yet they say all of the time that it is going to reduce somebody's salary.

In case of vacancy, mentioned by the gentleman from Maine [Mr. Beedy], there will be a promotion to that grade. So there is nothing in that.

As I say, I believe that the 120,000,000 people outside of the city of Washington who have no organization at their back should have some one speak for them.

I have been commended by an ex-captain of the United States Army, living in Connecticut, who wrote a letter telling me, "You won't get much support in the city of Washington, but the people of the United States, if they knew what was going on there, would be with you almost to a man."

Mr. LaGuardia. Will the gentleman yield?

Mr. WOOD. I do not yield.

Mr. Beedy. The gentleman does not want misstatements of fact before the committee, does he?

Mr. WOOD. No; and I did not make any. I do not yield.

I wish to call the attention of the committee to this letter which I have received:

WASHINGTON, D. C., December 9, 1930.

HON. WILLIAM R. WOOD,
Chairman Appropriations Committee,
House of Representatives.

MY DEAR MR. WOOD: I notice in the papers many derogatory remarks made about you by Luther Steward and Gertrude McNally, president and secretary of the Federal Employees Union. You no doubt well know these people do not represent the true sentiment of Government employees, and that the majority of the members of their organization are in it simply through coercion. To illustrate:

The Federal Employees' Union has men and women collecting dues in all the departments twice a month—during office hours, using the Government's time and getting a percentage on the money they collect.

Now, speaking for myself—and I am informed there are many similar cases—I am constantly reminded by one of the above-mentioned collectors that if I expect to get anywhere—in the way of pay increase—I had better join the union. Now, I have got just enough of that little something in me to cause me to rebel against any such tactics.

I know you would save much annoyance to many Government employees if you could have the condition above referred to stopped, and, in addition, the Government would benefit by causing these collectors to remain at their desks.

I want to say to you that this union in one day is demoralizing governmental service more than the passage of the so-called Wood amendment would demoralize it in a year. [Applause.]

In every department except one they are taking the time which the Government is paying for, going about soliciting memberships for this union, collecting the pay, and getting

a commission on it. I am glad there was one department which had nerve enough to stop it, and I serve notice on every other department now that they had better stop it. The Bureau of Printing and Engraving did stop it, and a howl went up here from the agitators of this union, that they were being oppressed.

Ladies and gentlemen, I wish again to call your attention to the fact that it was not my purpose to deny these people the right to have inequalities corrected. My insistence is that they should wait a little while, under existing circumstances. There are about 65,000 Federal employees in the city of Washington.

Every newspaper is advocating that this amendment of mine be defeated. Why? In order that they may have more money to spend in the city of Washington; in order that there may be more advertising and more money coming into the coffers of those newspapers. If it applied to somebody outside of the city of Washington you would not hear one word of criticism against the person who has made this amendment.

Ladies and gentlemen, I felt, in view of the fact that there are 4,000,000 men and women this day without enough food to sustain their bodies, it was a bad time, indeed, for us to be increasing the salaries of those who are wonderfully well paid. They will not lose their jobs. They will get their salaries, paid every two weeks by the best paymaster ever known. He has never defaulted once. They have employment throughout their lives or during their active lives and then go into retirement with a pension. Is there anybody in these trying times better conditioned than the Federal employee?

So I say I take pride in speaking for these 4,000,000 people who are without work, without money, without clothes, seeking, if you please, work everywhere in order to provide a living for their families.

I am glad to add that as I go up and down the streets of this town and in the various departments there are many clerks who come to me voluntarily and say, "While we would be benefited if this amendment were not adopted, we do not think it is the time that our salaries should be increased, and we think you are exactly right in taking the position you are taking."

I want to call attention to what a beautiful spectacle we will place ourselves in if we adopt the LaGuardia amendment.

The CHAIRMAN. The time of the gentleman from Indiana has expired.

Mr. CRAMTON. Mr. Chairman and gentlemen of the committee, I wonder if we all appreciate just what a responsibility rests these days upon the gentleman from Indiana [Mr. Wood].

Here we are in a day when the Government's revenues are decreased in a very marked degree, when there is also a widespread demand for increased expenditures for the special purpose of relieving unemployment. With increased expenditures and decreased revenues the post of chairman of the Committee on Appropriations in this House is not an easy job. When from time to time the gentleman from Indiana refuses to agree to an appropriation which you desire for something in your district, please keep in mind it is not always because he does not recognize there is merit in your proposition. Often he will recognize merit but realizes that the total must be kept within our revenues. So often-times that committee under his leadership votes against items that have merit but not the compelling merit for this time of economic stress. If he always granted what you wanted, you would soon cease to have confidence in him; you would feel inclined to have a different chairman for the Committee on Appropriations. Please keep in mind this terrific burden that is on his shoulders in these days and give a little more thought of appreciation for the splendid performance he is giving in that post. [Applause.] You have confidence in his integrity; you must have confidence in his courage, because he has often manifested it. I follow his work and I come in closer contact with it than most of you do, and I admire these things.

Now, he is right. The Congress has a responsibility. There must be close cooperation between the Budget, the executive branch, and the Congress if we are to have economy; but when all is said and done the Constitution provides that no money shall be drawn from the Treasury but in consequence of appropriations made by law. The responsibility is here and we are seeking to perform that responsibility properly.

Now, what is the situation with reference to this particular provision? You had the question up the other day in connection with the Treasury bill, and you supported Mr. Wood in his position. That bill went to the Senate; the Senate is about to take the provision out, we understand, and the bill will then go to conference and there it will have to be worked out. The only way it gets into this bill is because our committee, following the direction given us the other day, have put in this bill the same provision you adopted the other day. Now, is not the orderly way of procedure to let Mr. Wood in conference work the proposition out with the Senate? It is a matter that will be in conference in a few days. Whatever is agreed upon in connection with the Treasury bill and approved by this House will finally have to be provided in all the bills. Why do we have to have this knock-down-and-drag-out fight every time an appropriation bill comes up? It seems to me the only orderly way is to let this item go along to the Senate in accordance with your action the other day, let the matter be thrashed out by the gentleman from Indiana in conference on his bill, and in the meantime let the gentleman from Indiana know that in his strenuous efforts and patriotic efforts you are backing him every day. [Applause.]

The CHAIRMAN. The time of the gentleman from Michigan has expired. All time has expired, and the question is on the motion of the gentleman from New York to strike out section 3.

The question was taken; and on a division (demanded by Mr. LaGuardia) there were—ayes 83, noes 77.

Mr. CRAMTON. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chair appointed as tellers Mr. CRAMTON and Mr. LaGuardia.

The committee again divided; and the tellers reported that there were—ayes 89, noes 88.

So the motion was agreed to.

Mr. CRAMTON. Mr. Chairman, I ask unanimous consent that the clerks be authorized to correct typographical errors, punctuation, totals, section numbers, and so on.

The CHAIRMAN. The gentleman from Michigan asks unanimous consent that the clerks be authorized to correct typographical errors and totals. Is there objection?

There was no objection.

Mr. De Priest. Mr. Chairman, I ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent to revise and extend the remarks he made this afternoon. Is there objection?

There was no objection.

Mr. CRAMTON. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. CHINDBLOM, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 14675) making appropriations for the Department of the Interior for the fiscal year ending June 30, 1932, and for other purposes, and had directed him to report the same back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

Mr. CRAMTON. Mr. Speaker, I move the previous question on the bill and all amendments thereto to final passage. The previous question was ordered.

The SPEAKER. Is a separate vote demanded on any amendment?

Mr. CRAMTON. Mr. Speaker, I demand a separate vote on the amendment striking out section 3.

The SPEAKER. Is a separate vote demanded on any other amendment? If not, the Chair will put the remaining amendments en gross.

The amendments were agreed to.

The SPEAKER. The question is on the amendment striking out section 3, on which the gentleman from Michigan has demanded a separate vote.

The question was taken; and on a division (demanded by Mr. LaGUARDIA) there were—ayes 82, noes 87.

Mr. LaGUARDIA. Mr. Speaker, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. GRIFFIN. Mr. Speaker, may we have the Clerk report the amendment?

The SPEAKER. Without objection, the Clerk will report the amendment.

The Clerk read as follows:

Amendment by Mr. LaGUARDIA: Page 120, strike out all of section 3.

The question was taken; and there were—yeas 171, nays 114, not voting 147, as follows:

[Roll No. 3]

YEAS—171

Adkins	Driver	Johnson, Wash.	Ramseyer
Almon	Edwards	Jones, Tex.	Ramspeck
Andresen	Ellis	Kading	Reed, N. Y.
Andrew	Englebright	Kendall, Ky.	Reilly
Arentz	Estep	Kunz	Rogers
Auf der Heide	Esterly	Kvale	Rutherford
Ayres	Evans, Calif.	LaGuardia	Sanders, Tex.
Bacon	Evans, Mont.	Lambertson	Schafer, Wis.
Beedy	Fish	Lankford, Ga.	Schneider
Black	Fitzgerald	Lankford, Va.	Seger
Bland	Foss	Larsen	Selberling
Bolton	Frear	Lea	Selvig
Bowman	Fulmer	Leavitt	Shaffer, Va.
Box	Gibson	Letts	Short, Mo.
Briggs	Gifford	Lindsay	Sinclair
Browne	Goldsborough	Luce	Smith, Idaho
Buchanan	Granfield	Ludlow	Snell
Burdick	Gregory	McClintock, Ohio	Snow
Butler	Griffin	McCormack, Mass.	Sparks
Cable	Guyer	Maas	Speaks
Campbell, Iowa	Hadley	Mapes	Stalker
Carter, Calif.	Hale	Martin	Stobbs
Carter, Wyo.	Hancock, N. Y.	Mead	Summers, Wash.
Chalmers	Hartley	Michener	Swanson
Christgau	Hickey	Miller	Swing
Clancy	Hill, Ala.	Moore, Ohio	Temple
Clark, N. C.	Hill, Wash.	Morgan	Thurston
Cochran, Mo.	Hoch	Mouser	Tinkham
Cochran, Pa.	Hogg, Ind.	Nelson, Me.	Treadway
Collier	Hooper	Nelson, Wis.	Turpin
Colton	Hope	Nolan	Underwood
Condon	Hopkins	Norton	Vincent, Mich.
Cooper, Ohio	Howard	O'Connor, La.	Welch, Calif.
Cooper, Wis.	Huddleston	O'Connor, Okla.	White
Crall	Hull, Morton D.	Palmer	Whitley
Crisp	Hull, Tenn.	Parker	Wigglesworth
Crosser	Hull, Wis.	Parks	Willson
Culkin	Irwin	Patterson	Wingo
Dallinger	James, N. C.	Perkins	Wolverton, N. J.
Davenport	Jeffers	Pittenger	Wolverton, W. Va.
Dominick	Johnson, Okla.	Pratt, Harcourt J.	Woodruff
Douglas, Ariz.	Johnson, S. Dak.	Rainey, Henry T.	Wurzbach
Dowell	Johnson, Tex.	Ramey, Frank M.	

NAYS—114

Ackerman	Crowther	Houston, Del.	Robinson
Allen	Darrow	Johnson, Nebr.	Sandlin
Allgood	Davis	Jonas, N. C.	Shott, W. Va.
Arnold	Denison	Ketcham	Shreve
Aswell	De Priest	Kinzer	Simmons
Bachmann	DeRouen	Langley	Sloan
Baird	Dickinson	Loofbourow	Smith, W. Va.
Bankhead	Drane	Lozier	Sproul, Ill.
Beers	Drewry	McClintic, Okla.	Sproul, Kans.
Blackburn	Dunbar	McDuffie	Stafford
Blanton	Dyer	McFadden	Strong, Kans.
Bohn	Eslick	McKeown	Swick
Browning	Finley	McLaughlin	Taber
Buckbee	Fort	McReynolds	Tarver
Burtess	Freeman	Magrady	Taylor, Colo.
Byrns	French	Menges	Tilson
Campbell, Pa.	Garber, Okla.	Merritt	Tucker
Canfield	Garner	Montet	Vestal
Cannon	Glover	Moore, Ky.	Wainwright
Chindblom	Green	Morehead	Warren
Christopherson	Hall, Ill.	Murphy	Wason
Clague	Hall, Ind.	Nelson, Mo.	Whittington
Cole	Hall, Miss.	Oldfield	Williamson
Collins	Hall, N. Dak.	Oliver, Ala.	Wood
Cooper, Tenn.	Halsey	Parsons	Wright
Cox	Hardy	Patman	Wyant
Coyle	Hastings	Pritchard	Yon
Cramton	Haugen	Rankin	
Cross	Hogg, W. Va.	Rayburn	

NOT VOTING—147

Abernethy	Eaton, N. J.	Kendall, Pa.	Ransley
Aldrich	Elliott	Kennedy	Reece
Bacharach	Erk	Kerr	Reid, Ill.
Barbour	Fenn	Kiefner	Rich
Beck	Fisher	Knutson	Romjue
Bell	Fitzpatrick	Kopp	Rowbottom
Bloom	Free	Korell	Sabath
Boylan	Fuller	Kurtz	Sanders, N. Y.
Brand, Ga.	Gambrill	Lanham	Sears
Brand, Ohio	Garber, Va.	Leech	Simms
Brigham	Garrett	Lehlbach	Sirovich
Britten	Gasque	Linthicum	Somers, N. Y.
Brumm	Gavagan	McCormick, Ill.	Spearing
Brunner	Golder	McLeod	Steagall
Busby	Goodwin	McMillan	Stevenson
Carley	Goss	McSwain	Stone
Cartwright	Graham	Manlove	Strong, Pa.
Celler	Greenwood	Mansfield	Sullivan, N. Y.
Chase	Hancock, N. C.	Michaelson	Sullivan, Pa.
Chipherfield	Hare	Milligan	Summers, Tex.
Clark, Md.	Hawley	Montague	Taylor, Tenn.
Clarke, N. Y.	Hess	Mooney	Thatcher
Connery	Hoffman	Moore, Va.	Thompson
Connolly	Holaday	Newhall	Timberlake
Cooke	Hudson	Niedringhaus	Underhill
Corning	Hudspeth	O'Connell	Vinson, Ga.
Craddock	Hull, William E.	O'Connor, N. Y.	Walker
Cullen	Igoe	Oliver, N. Y.	Watres
Dempsey	James, Mich.	Owen	Watson
Dickstein	Jenkins	Palmisano	Welsh, Pa.
Dorsey	Johnson, Ill.	Peavey	Whitehead
Doughton	Johnson, Ind.	Pou	Williams
Douglass, Mass.	Johnston, Mo.	Prall	Wolfenden
Doutrich	Kahn	Pratt, Ruth	Woodrum
Doxey	Kearns	Purnell	Yates
Doyle	Kelly	Quin	Zihlman
Eaton, Colo.	Kemp	Ragon	

So the amendment was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Kendall of Pennsylvania (for) with Mr. Thatcher (against).
 Mr. Barbour (for) with Mr. Leech (against).
 Mr. Lehlbach (for) with Mr. Rich (against).
 Mr. Linthicum (for) with Mr. Graham (against).
 Mr. Cullen (for) with Mr. Watson (against).
 Mr. Niedringhaus (for) with Mr. Kurtz (against).
 Mr. Eaton of New Jersey (for) with Mr. Purnell (against).

Until further notice:

Mr. Bacharach with Mr. Pou.
 Mr. Holaday with Mr. Garrett.
 Mr. Jenkins with Mr. Lanham.
 Mr. Britten with Mr. Abernethy.
 Mr. Connolly with Mr. Stevenson.
 Mr. Eaton of Colorado with Mr. Mansfield.
 Mr. Doutrich with Mr. Cartwright.
 Mr. McLeod with Mr. Montague.
 Mr. Free with Mr. Boylan.
 Mr. Manlove with Mr. Dorsey.
 Mr. Golder with Mr. Carley.
 Mr. Hawley with Mr. Kerr.
 Mr. Timberlake with Mr. Brunner.
 Mr. Welsh of Pennsylvania with Mrs. Owen.
 Mr. Yates with Mr. Doughton.
 Mr. Ransley with Mr. Oliver of New York.
 Mr. Reid of Illinois with Mr. Connery.
 Mrs. Ruth Pratt with Mr. Celler.
 Mr. Beck with Mr. Doxey.
 Mr. Hoffman with Mr. Prall.
 Mr. Aldridge with Mr. Whitehead.
 Mr. James of Michigan with Mr. Mooney.
 Mr. William E. Hull with Mr. Williams.
 Mr. Brumm with Mr. Milligan.
 Mr. Johnson of Illinois with Mr. Steagall.
 Mr. Chase with Mr. Moore of Virginia.
 Mrs. Kahn with Mr. Summers of Texas.
 Mr. Chipherfield with Mr. Kemp.
 Mr. Kelly with Mr. Vinson of Georgia.
 Mr. Clarke of New York with Mr. Fuller.
 Mr. Kopp with Mr. Quin.
 Mr. Peavey with Mr. Gavagan.
 Mr. Strong of Pennsylvania with Mr. Somers of New York.
 Mr. Sanders of New York with Mr. Greenwood.
 Mr. Korell with Mr. Palmisano.
 Mr. Taylor of Tennessee with Mr. Busby.
 Mr. Underhill with Mr. Hare.
 Mr. Wolfenden with Mr. Brand of Georgia.
 Mr. Sullivan of Pennsylvania with Mr. Sullivan of New York.
 Mr. Goodwin with Mr. Woodrum.
 Mr. Erk with Mr. Douglass of Massachusetts.
 Mr. Goss with Mr. Kennedy.
 Mr. Johnston of Missouri with Mr. Dickstein.
 Mr. Knutson with Mr. McSwain.
 Mr. Kiefner with Mr. Sabath.
 Mr. Zihlman with Mr. Bell.
 Mr. Johnson of Indiana with Mr. McMillan.
 Mr. Dempsey with Mr. Fitzpatrick.
 Mr. Kearns with Mr. Bloom.
 Mr. Brigham with Mr. Gasque.
 Mr. Elliott with Mr. Sirovich.
 Mr. Fenn with Mr. Ragon.
 Mr. Newhall with Mr. Hancock of North Carolina.
 Mr. Cooke with Mr. Romjue.

The result of the vote was announced as above recorded.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. CRAMTON, a motion to reconsider the vote by which the bill was passed, was laid on the table.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. CHIPERFIELD, from Monday until Friday next, on account of important business.

ADJUSTED-SERVICE CERTIFICATES

Mr. FISH. Mr. Speaker, I ask unanimous consent to extend my remarks by including in the RECORD a letter written to the Secretary of the Treasury and two paragraphs of a bill which I introduced to-day.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. FISH. Mr. Speaker, under the leave to extend my remarks in the RECORD, I include the following copy of bill introduced by me to pay 25 per cent of the face value of adjusted-service certificates and correspondence between Secretary Mellon and myself.

H. R. 15062

A bill to amend the World War adjusted compensation act, as amended

Be it enacted, etc., That section 501 of the World War adjusted compensation act, as amended (sec. 641, title 38, U. S. C.), be hereby amended by adding thereto the following paragraph:

"The Administrator of Veterans' Affairs is hereby authorized and directed to pay 25 per cent of the face value of any certificate issued under this section to the veteran designated therein upon application filed by such veteran in accordance with regulations to be issued by the Administrator of Veterans' Affairs. Any amount paid under this paragraph shall be chargeable as a non-interest bearing lien against the certificate upon maturity. Payment under this paragraph shall not affect any loan heretofore made in accordance with the provisions of section 502 (sec. 642, title 38, U. S. C.), but hereafter in making any loan or renewal loan on a certificate the amount paid under this paragraph shall be deducted from the face value of the certificate.

"Sec. 2. Section 505 of the World War adjusted compensation act, as amended (sec. 646, title 38, U. S. C.), is hereby amended by adding thereto the following paragraph:

"The Secretary of the Treasury is hereby authorized and directed to immediately issue and sell, under such regulations as he shall prescribe, United States bonds, to be known as World War adjusted-service bonds, to such an amount as may be necessary to cover payments to be made under section 501 of this act as amended, unless funds are otherwise available."

DECEMBER 10, 1930.

HON. ANDREW W. MELLON,
Secretary of the Treasury, Washington, D. C.

DEAR MR. SECRETARY: I am taking the liberty of writing to ask if the Treasury Department would oppose the immediate cash payment of 25 per cent of the face value of the veterans' adjusted-service certificates?

I have read with much interest the reasons you presented for not paying the entire face value of the insurance certificates at the present time. Would not your objections be complied with by the payment, in cash or negotiable Government bonds with 3 per cent interest, of one-fourth of the face value of the certificates without deductions for loans already made, which would continue to constitute a debt against the remaining amount of the service certificates?

Is it not a fact that there will be, on January 1, 1931, a reserve fund of approximately \$750,000,000 to retire these certificates, which would be ample to pay one-fourth the face value of the service certificates immediately, as suggested in my proposal, or if it is more advantageous to the Treasury to borrow the money, may it not be done by the Government at under 2 per cent?

As one of the sponsors for the veterans' insurance certificate form of legislation, I am convinced that it would be a simple act of justice to several million veterans who are in needy circumstances to make a 25 per cent payment on their insurance certificates at the earliest possible moment by act of Congress. Such legislation would not be an act of charity, as the veterans have already had possession of these insurance certificates for 5 years, or for one-fourth of the 20-year maturity period.

Payment in cash of one-fourth of the face value of the certificates, if all veterans desired to take advantage of the opportunity, would probably not exceed \$800,000,000. It is natural to assume that there would be a considerable number who would prefer to permit their policies to continue unimpaired.

My proposal is based on the belief that in this period of business depression and unemployment that there is a large amount of hardship and suffering among unemployed veterans and those working part time or whose earnings have been reduced, and that

an average cash payment of \$250, which would approximate 25 per cent of the face value of the average certificate, would be helpful in this period of industrial idleness, and afford a welcomed degree of relief to World War veterans and their wives and children.

In addition the placing in immediate circulation of between \$500,000,000 and \$700,000,000 through veterans scattered throughout every State of the Union would tend to stimulate business and restore the country back on the highway to prosperity.

The veterans have faith in America, and many of them feel that the existing business depression is not caused by anything beyond the control of our citizens and our Government but is caused by a widespread retrenchment attitude and the resulting lack of the circulating dollar, and that the exchange of the adjusted-service certificates into cash would tend to break the present unwarranted retrenchment and bring back normal spending conditions.

The objection raised by you, that the widow or children would not be protected by insurance in case of death of the veteran, if the entire amount of the policy was paid out in cash immediately, would not hold good if my suggestion of 25 per cent payment was adopted, as there would still remain 75 per cent of the face value of the policy.

There is a strong growing demand among all veteran organizations for the partial payment of the face value of the insurance certificates, and I join in this reasonable request, as I believe it would be helpful to the veterans and their families, to the best interests of American business, and of the people and Government of the United States.

I have already requested Gen. Frank T. Hines, Administrator of Veterans' Affairs, to submit to me the necessary data to prepare a bill along the lines outlined and would like to have the advantage of your views.

Trusting you will give this proposal your careful and favorable consideration and with high personal regards, I am,

Sincerely yours,

HAMILTON FISH, JR.

EMPLOYMENT CONDITIONS

Mr. LAGUARDIA. Mr. Speaker, I ask unanimous consent to insert in the RECORD a telegram which has been called to my attention by my colleague from Illinois [Mr. SPOURL] from the mayor of Chicago, written in his usual, typical, and characteristic style.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. LAGUARDIA. Mr. Speaker, under the leave to extend my remarks in the RECORD I include the following letter written by Mayor Thompson, of Chicago:

DECEMBER 10, 1930.

Col. THAD. H. BROWN,
General Counsel Federal Radio Commission,
Washington, D. C.:

I am informed that two of Chicago's enemies appeared before your commission to-day and falsely stated that my plan to double Chicago's business, wipe out soup houses and bread lines, is in violation of the law and is a lottery. I want you to know that other members of the vicious circle of the United States, who desire to continue soup houses and bread lines and create in America the dole system such as they have in England, where they appropriate \$500,000,000 a year for charity, which appropriation must be added to at the rate of \$2,000,000 a week to prevent a revolution, carried similar falsehoods to Mr. Horace J. Donnelly, solicitor for the Postmaster General, and presented to him newspaper clippings which stated my plan was a lottery. Based on the misrepresentations and falsehoods that were presented to him, Mr. Donnelly warned the Chicago postmaster, who in turn warned local newspapers that these papers could not be carried in the United States mails if they carried publicity on my plan. I want you to know that the corporation counsel of Chicago and six of his assistants have approved my plan as lawful and legal and in violation of no law.

I am again sending to Washington Assistant Corporation Counsel Samuel L. Golan and Carl J. Appell to present to you the facts before making any decision. I am doing my best to repair the damage already done by the vicious circle, and it seems to me that with 50,000 storekeepers in Chicago ready to adopt my plan for the revival of business that official Washington in the near future by their actions must indicate their position as favoring soup houses and charity or assisting those who are attempting to remedy the business conditions which have brought about the necessity for charity and soup houses.

As an aftermath of the war, Chicago, like all other industrial cities in our country, had 200,000 men walking the streets unemployed. The same vicious circle that opposes me to-day opposed me then when I organized and conducted the Pageant of Progress Exposition, which exposition brought to the exhibitors \$30,000,000 in orders, which started the factories and which created the demand for labor and which prevented the necessity for charity and soup houses which many other cities had to resort to but which Chicago at that time, because of this exposition, escaped.

I have kept at work 150,000 men on public improvements during the summer, which improvements are completed. The people of Chicago approved \$20,000,000 more in bond issues for further

public improvements on November 4 last. I am starting the work on these improvements at the earliest possible moment. Several of them must wait until spring. Our governor has \$25,000,000 in the State treasury in one fund for the building of good roads. He has \$25,000,000 in sight and could be letting contracts for road work to the extent of \$50,000,000. This he is not doing, but, on the other hand, is soliciting charity funds for soup houses, and has gone so far as to request me to ask the city of Chicago's employees to donate one day's pay each month for his soup houses. This I have refused to do, as I am not in favor of soup, but I am in favor of jobs which can readily be created if the vicious circle does not dominate official Washington.

I trust that you will give my representatives an opportunity to present you the truth in the matter that comes before your commission before making your decision.

WM. HALE THOMPSON, Mayor.

EXTENSION OF REMARKS

Mr. SCHAFER of Wisconsin. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the prohibition question.

Mr. SPROUL of Illinois. Mr. Speaker, I object.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. Craven, its principal clerk, announced that the Senate had passed the following resolution:

Senate Resolution 368

Resolved, That the Senate has heard with deep regret and profound sorrow the announcement of the death of the Hon. LEE SLATER OVERMAN, late a Senator from the State of North Carolina.

Resolved, That a committee of 21 Senators be appointed by the President of the Senate to take order for superintending the funeral of Mr. OVERMAN, which shall take place in the Senate Chamber at 8 o'clock p. m. on Friday, December 12, 1930, and that the Senate attend the same.

Resolved, That as a further mark of respect his remains be removed from Washington to Salisbury, N. C., for burial, in charge of the Sergeant at Arms, attended by the committee, who shall have full power to carry these resolutions into effect; and that the necessary expenses in connection therewith be paid out of the contingent fund of the Senate.

Resolved, That the Secretary communicate these resolutions to the House of Representatives, transmit a copy thereof to the family of the deceased, and invite the House of Representatives to attend the funeral in the Senate Chamber and to appoint a committee to act with the committee of the Senate.

Resolved, That invitations be extended to the President of the United States and the members of the Cabinet, the Chief Justice and Associate Justices of the Supreme Court of the United States, the diplomatic corps (through the Secretary of State), the Chief of Staff of the Army, the Chief of Naval Operations, and the Major General Commandant of the Marine Corps to attend the funeral in the Senate Chamber.

Resolved, That as a further mark of respect to the memory of the deceased the Senate stand adjourned until 12 o'clock meridian, Monday, December 15, 1930.

The message also announced that, pursuant to the foregoing resolution, the Vice President had appointed Mr. SIMMONS, Mr. WATSON, Mr. ROBINSON of Arkansas, Mr. SMOOT, Mr. FLETCHER, Mr. BORAH, Mr. SMITH, Mr. JONES, Mr. SWANSON, Mr. NORRIS, Mr. RANDELL, Mr. SHEPPARD, Mr. HALE, Mr. JOHNSON, Mr. HARRIS, Mr. MOSES, Mr. MCKELLAR, Mr. McNARY, Mr. WALSH of Massachusetts, Mr. PHIPPS, and Mr. SHORTRIDGE members of the committee to take order for superintending the funeral of the deceased.

ADJOURNMENT OVER

Mr. TILSON. Mr. Speaker, I ask unanimous consent that when the House adjourns to-day it adjourn to meet on Monday next.

Mr. GARNER. Mr. Speaker, reserving the right to object, may I say to the gentleman from Connecticut that I do not feel justified in objecting to this unanimous-consent request, but if we can trust newspaper reports and general rumors, they are to the effect that the so-called farm relief bill will be taken up Monday or Tuesday and an effort made to cut off debate, prevent amendment, and put the bill on its passage. It occurs to me that at least the gentleman ought to give this side of the House, and I think probably some of the gentlemen on his side of the House, an opportunity to express themselves on this legislation, even if you go so far as to take away from us all opportunity to offer amendment. The gentleman is asking us to adjourn over until Monday, when we could use to-morrow for the purpose of trying to enlighten the membership of the House

and the country as to the provisions of this bill and the views of the individual Members concerning it. May I ask the gentleman what he expects to do on Monday or Tuesday in the matter of passing the farm relief bill?

Mr. TILSON. I can not tell the gentleman as to that bill. I have not conferred with the gentleman from Iowa [Mr. HAUGEN] since the last action, if any, by the Committee on Agriculture. I have not conversed with him on the subject since the colloquy here on the floor yesterday.

Mr. GARNER. And the gentleman has no idea?

Mr. TILSON. I can tell the gentleman as to other things about which he may wish to ask me, but nothing has come to my attention in regard to this particular bill since yesterday.

Mr. GARNER. The gentleman has no idea, then, the process by which he will undertake to pass this farm relief bill?

Mr. TILSON. I do not know at this moment how we shall pass it.

Mr. GARNER. Well, it is a strange thing to me, Mr. Speaker, that the majority leader of the House of Representatives, and probably the Speaker of the House himself, although I shall not include the Speaker, because if I asked him the question I am sure he would give me a more definite answer than the gentleman from Connecticut—

Mr. TILSON. I do not see how he could.

Mr. GARNER. I imagine he would; at least he would make the effort; and it is a strange thing to me that with an organization such as the gentleman has and such an important piece of legislation coming up the gentleman can not tell the House a single thing about how he proposes to proceed.

Mr. PATTERSON. Mr. Speaker, I reserve the right to object to say this. We are very anxious to have the agricultural seed loan bill considered in the ordinary way so that we can offer amendments or express ourselves upon it. I realize that what I may say will probably have but little weight, but I do know that the gentleman has been considerate in many matters and I hope he will at this time in this very important matter.

I hope, however, we may have that bill considered in the usual way. I want to say that I try to cooperate with the House in every way. I have not made the point of no quorum many times when I could have done so.

Mr. TILSON. The gentleman has been very good.

Mr. PATTERSON. I appreciate the gentleman's kindness and I hope that the gentleman will bring in this bill in a way so that we will have an opportunity to express ourselves on the provisions of that bill and have amendments considered. This, I feel, is fair.

Mr. ALMON. Reserving the right to object, can the gentleman from Connecticut advise me when we may expect a report from the conference committee on the Muscle Shoals bill?

Mr. TILSON. I understand that the committee of conference on that bill is very active. They are meeting from day to day, and apparently entertain some hope that they may arrive at an agreement.

Mr. ALMON. One Member told me that they hoped soon to agree and get a good bill, and I hope they will.

Mr. McDUFFIE. Mr. Speaker, reserving the right to object, I want to ask the gentleman from Connecticut when we may expect a call of the Private Calendar, and if we may expect it before the holiday recess?

Mr. TILSON. Some Members have asked that it be not called before the holiday recess. Many are away on business or for other good reasons, and I doubt if it would give general satisfaction if we set aside a day before the holidays for calling the Private Calendar. I assure the gentleman that after the holiday recess, on suitable occasions, when it is convenient for the membership of the House and when other more urgent business permits, I shall do my best to have the Private Calendar considered.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

DEATH OF SENATOR OVERMAN

Mr. WARREN. Mr. Speaker, it is my sad duty to announce to the House the death of Senator LEE SLATER OVERMAN, for 28 years the distinguished junior Senator from North Carolina. To-night at 8 o'clock there will be a state funeral in the Senate Chamber and it is hoped that the entire membership of the House may attend.

Mr. Speaker, I offer the following resolutions for immediate consideration.

The Clerk read as follows:

House Resolution 319

Resolved, That the House has heard with profound sorrow of the death of the Hon. LEE SLATER OVERMAN, a Senator of the United States from the State of North Carolina.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased Senator.

Resolved, That a committee of 19 Members be appointed on the part of the House to join the committee appointed on the part of the Senate to attend the funeral.

The resolutions were agreed to.

The Speaker appointed the following committee to attend the funeral:

EDWARD W. POU, of North Carolina; ROBERT L. DOUGHTON, of North Carolina; J. CHARLES LINTHICUM, of Maryland; ANDREW J. MONTAGUE, of Virginia; HATTON W. SUMNERS, of Texas; CHARLES L. ABERNETHY, of North Carolina; GUINN WILLIAMS, of Texas; EDGAR HOWARD, of Nebraska; JOHN H. KERR, of North Carolina; E. E. COX, of Georgia; BUTLER B. HARE, of South Carolina; LINDSAY C. WARREN, of North Carolina; J. BAYARD CLARK, of North Carolina; FRANK W. HANCOCK, of North Carolina; HINTON JAMES, of North Carolina; GEORGE S. GRAHAM, of Pennsylvania; LEONIDAS C. DYER, of Missouri; CHARLES A. JONAS, of North Carolina; GEORGE M. PRITCHARD, of North Carolina.

The SPEAKER. The Clerk will proceed with the resolutions.

The Clerk read as follows:

Resolved, That as a further mark of respect the House do now adjourn.

The resolution was agreed to.

ADJOURNMENT

Accordingly, in compliance with the resolution and under its previous order, the House (at 6 o'clock and 5 minutes p. m.) adjourned until Monday, December 15, 1930, at 12 o'clock noon.

COMMITTEE HEARINGS

Mr. TILSON submitted the following tentative list of committee hearings scheduled for Saturday, December 13, 1930, as reported to the floor leader by clerks of the several committees:

COMMITTEE ON APPROPRIATIONS

(10.30 a. m.)

War Department appropriation bill.

State, Justice, Commerce, and Labor Departments appropriation bill.

FOR MONDAY, DECEMBER 15, 1930

COMMITTEE ON APPROPRIATIONS

(10.30 a. m.)

War Department appropriation bill.

State, Justice, Commerce, and Labor Departments appropriation bill.

COMMITTEE ON PUBLIC LANDS

(10 a. m.)

To provide for the establishment of the Everglades National Park in the State of Florida (H. R. 12381).

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

704. A letter from the Secretary of War, transmitting report from the Chief of Engineers, United States Army, on Cowlitz River, Wash., made under the provisions of House

Document No. 308, Sixty-ninth Congress, first session (H. Doc. No. 666); to the Committee on Rivers and Harbors and order to be printed, with illustrations.

705. A letter from the Postmaster General of the United States, transmitting report that a special contract has been entered into with the Rio Grande Southern Railroad Co. by Victor A. Miller, receiver, for carrying the mails on its road on route No. 114781 between Ridgway and Durango, Colo.; to the Committee on the Post Office and Post Roads.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of Rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. FISH: A bill (H. R. 15062) to amend the World War adjusted compensation act, as amended; to the Committee on Ways and Means.

By Mr. CULKIN: A bill (H. R. 15063) authorizing the Secretary of War to reconvey to the State of New York a portion of the land comprising the Fort Ontario Military Reservation, N. Y.; to the Committee on Military Affairs.

By Mr. ENGLEBRIGHT: A bill (H. R. 15064) to reserve 440 acres of public-domain land for addition to the Temecula or Pechanga Indian Reservation, Calif.; to the Committee on Indian Affairs.

By Mr. FREAR: A bill (H. R. 15065) to reduce interest rates to 4 per cent on adjusted-compensation loans; to the Committee on Ways and Means.

By Mr. HALE: A bill (H. R. 15066) to amend section 95 of the Judicial Code, as amended; to the Committee on the Judiciary.

By Mr. JOHNSTON of Missouri: A bill (H. R. 15067) to authorize the erection of a Veterans' Bureau hospital in that part of the State of Missouri known as the Ozark section, and to authorize the appropriation therefor; to the Committee on World War Veterans' Legislation.

By Mr. TAYLOR of Tennessee: A bill (H. R. 15068) to grant the consent of Congress to the Highway Department of the State of Tennessee to construct a bridge across the French Broad River on the proposed Morristown-Newport Road between Jefferson and Cocke Counties, Tenn.; to the Committee on Interstate and Foreign Commerce.

By Mr. SUTHERLAND: A bill (H. R. 15069) to grant certain tidelands to the native Indians of Alaska organized and operating under the name and style of Alaska Native Brotherhood, of Ketchikan, Alaska, and for other purposes; to the Committee on the Public Lands.

By Mr. TARVER: A bill (H. R. 15070) to authorize the city of Marietta, Ga., to widen, improve, reconstruct, and resurface Roswell Road and to assess the cost thereof against the United States according to front feet of the national cemetery reservation abutting thereon, and authorizing an appropriation therefor; to the Committee on Military Affairs.

By Mr. SNELL: A bill (H. R. 15071) to authorize appropriations for construction at Plattsburg Barracks, Plattsburg, N. Y., and for other purposes; to the Committee on Military Affairs.

By Mr. CABLE: A bill (H. R. 15072) to amend the pension laws, and for other purposes; to the Committee on Pensions.

By Mr. GREEN: A bill (H. R. 15073) to provide for the construction of post-office buildings to relieve unemployment and economic depression, and for other purposes; to the Committee on Public Buildings and Grounds.

By Mr. BRUNNER: A bill (H. R. 15074) to provide for the establishment of light buoys at Rockaway Inlet and adjacent waters in the State of New York; to the Committee on Interstate and Foreign Commerce.

By Mr. BLANTON: A bill (H. R. 15075) to provide for the suspension of immigration of aliens into the United States; to the Committee on Immigration and Naturalization.

By Mr. CELLER: A bill (H. R. 15076) to relieve the unemployment emergency by amending the national defense act so as to organize a special Army reserve, in which unemployed men to the number of 250,000 may enlist for a period of not to exceed one year; to the Committee on Military Affairs.

By Mr. LAMBERTSON: A bill (H. R. 15077) authorizing the Secretary of Agriculture to extend aid to any State or States or political subdivision or subdivisions thereof to acquire toll bridges or construct bridges and maintain them as free bridges, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. ERK: A bill (H. R. 15078) to authorize the erection of an addition to Veterans' Bureau hospital at Aspinwall, in the State of Pennsylvania, and to authorize the appropriation therefor; to the Committee on World War Veterans' Legislation.

By Mr. HOUSTON of Hawaii: A bill (H. R. 15079) to amend the act entitled "An act to extend the provisions of certain laws to the Territory of Hawaii," approved March 10, 1924; to the Committee on the Territories.

By Mr. BLANTON: Joint resolution (H. J. Res. 435) authorizing and directing the President to use and employ the Army and Navy, the militia of the several States, and the resources of the Government in suppressing all smuggling into the United States of intoxicating liquors, narcotics, and aliens, and to suppress the insubordinate rebellion now being waged by those in authority in several States and large cities of the United States against the fundamental laws of the Republic, to the end that President may obey the Constitution of the United States by faithfully executing the laws; to the Committee on the Judiciary.

Also, joint resolution (H. J. Res. 436) constituting it cause for impeachment and removal from office, and dishonorable discharge from the service, and discharge from Government employment, respectively, for any executive officer, member of the judiciary, Senator, Representative in Congress, officer or enlisted man in the Army, Navy, and Marine Corps, or any employee of the Government of the United States, to purchase intoxicating liquors from a "bootlegger"—as that term is commonly understood—or to manufacture, sell, or transport intoxicating liquors within or to import the same into the United States for beverage purposes, or to conspire with any person to violate the eighteenth amendment of the Constitution of the United States and laws passed in enforcement thereof; to the Committee on the Judiciary.

Also, joint resolution (H. J. Res. 437) prohibiting officials of the United States from issuing permits to any diplomatic representative, secretary of embassy or legation, counselor of embassy or legation, military attaché, naval attaché, commercial attaché, consul agent, commissioner, or special envoy of any foreign country accredited to and residing in the United States that would authorize any of them or any member of their official family to import into, transport within, possess, or dispense in the United States any intoxicating liquors for beverage purposes in violation of the eighteenth amendment to the Constitution of the United States and enforcement laws thereof; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ALMON: A bill (H. R. 15080) for the relief of C. H. Price; to the Committee on Claims.

By Mr. BEERS: A bill (H. R. 15081) granting a pension to Amelia Zimmerman; to the Committee on Invalid Pensions.

By Mr. BLAND: A bill (H. R. 15082) granting a pension to Bernard A. Brinkley; to the Committee on Pensions.

By Mr. CAMPBELL of Iowa: A bill (H. R. 15083) granting an increase of pension to Oluf Volkerts; to the Committee on Invalid Pensions.

By Mr. COX: A bill (H. R. 15084) granting an increase of pension to Walter E. Fields; to the Committee on Pensions.

By Mr. CRAMTON: A bill (H. R. 15085) granting an increase of pension to Elizabeth Tebeau; to the Committee on Invalid Pensions.

By Mr. CRAIL: A bill (H. R. 15086) granting a pension to Susan McKay Young; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15087) for the relief of Axel Malstrom; to the Committee on Naval Affairs.

Also, a bill (H. R. 15088) granting an increase of pension to Effie A. Reynolds; to the Committee on Invalid Pensions.

By Mr. GARBER of Oklahoma: A bill (H. R. 15089) granting an increase of pension to Lydia M. Gilbert; to the Committee on Invalid Pensions.

By Mr. HASTINGS: A bill (H. R. 15090) granting a pension to Bettie M. Poe; to the Committee on Invalid Pensions.

By Mr. HILL of Alabama: A bill (H. R. 15091) granting a pension to Lizzie C. Fussell; to the Committee on Invalid Pensions.

By Mr. HOCH: A bill (H. R. 15092) granting a pension to Helen Moody; to the Committee on Invalid Pensions.

By Mr. HOGG of Indiana: A bill (H. R. 15093) granting an increase of pension to Emma Bailey; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15094) granting an increase of pension to Margaret A. Curtis; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15095) granting an increase of pension to Amelia J. Prince; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15096) granting an increase of pension to Mary M. Congleton; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15097) granting a pension to Elizabeth Nye; to the Committee on Invalid Pensions.

By Mr. HOPE: A bill (H. R. 15098) for the relief of Thomas Spence; to the Committee on Military Affairs.

By Mr. HOPKINS: A bill (H. R. 15099) granting an increase of pension to Anna Hartman; to the Committee on Invalid Pensions.

By Mr. IGOE: A bill (H. R. 15100) for the relief of John Farrell; to the Committee on Military Affairs.

By Mr. KENDALL of Pennsylvania: A bill (H. R. 15101) granting a pension to Hanna Al Nora Zebley; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15102) granting a pension to William Zebley; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15103) granting a pension to Richard Zebley; to the Committee on Invalid Pensions.

By Mr. LAMBERTSON: A bill (H. R. 15104) granting an increase of pension to Rachel E. Lukenbill; to the Committee on Invalid Pensions.

By Mrs. LANGLEY: A bill (H. R. 15105) granting a pension to Emma Williams; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15106) for the relief of James E. King and others; to the Committee on Claims.

Also, a bill (H. R. 15107) for the relief of A. W. Kliefoth; to the Committee on Claims.

By Mr. LANHAM: A bill (H. R. 15108) granting a pension to Martin E. Miller; to the Committee on Pensions.

By Mr. LOZIER: A bill (H. R. 15109) granting an increase of pension to Margaret E. Bledsoe; to the Committee on Invalid Pensions.

By Mr. MAGRADY: A bill (H. R. 15110) granting an increase of pension to Alice S. Sanders; to the Committee on Invalid Pensions.

By Mr. MANLOVE: A bill (H. R. 15111) granting an increase of pension to Sarah A. Charles; to the Committee on Invalid Pensions.

By Mr. MAPES: A bill (H. R. 15112) for the relief of William Dean McCoy; to the Committee on Naval Affairs.

By Mr. MORGAN: A bill (H. R. 15113) granting an increase of pension to Ruth A. Schooley; to the Committee on Invalid Pensions.

By Mr. NELSON of Missouri: A bill (H. R. 15114) granting a pension to Samuel A. Lawson; to the Committee on Invalid Pensions.

By Mr. REECE: A bill (H. R. 15115) granting a pension to Landon T. Lewis; to the Committee on Pensions.

By Mr. ROBINSON: A bill (H. R. 15116) granting an increase of pension to William Blades; to the Committee on Invalid Pensions.

By Mr. ROWBOTTOM: A bill (H. R. 15117) granting a pension to Loren Stephens; to the Committee on Invalid Pensions.

By Mr. RUTHERFORD: A bill (H. R. 15118) granting a pension to Maggie Gaddy; to the Committee on Pensions.

By Mr. SANDERS of Texas: A bill (H. R. 15119) for the relief of William Mathew Squires; to the Committee on Military Affairs.

By Mr. SCHNEIDER: A bill (H. R. 15120) granting an increase of pension to Emily L. Hagen; to the Committee on Invalid Pensions.

By Mr. SMITH of West Virginia: A bill (H. R. 15121) granting a pension to Julian D. Haynes; to the Committee on Pensions.

By Mr. SPEAKS: A bill (H. R. 15122) granting an increase of pension to George E. Partee; to the Committee on Pensions.

By Mr. TIMBERLAKE: A bill (H. R. 15123) granting an increase of pension to Julia Hallowell; to the Committee on Invalid Pensions.

By Mr. VESTAL: A bill (H. R. 15124) granting an increase of pension to Anna P. Smith; to the Committee on Invalid Pensions.

By Mr. VINSON of Georgia: A bill (H. R. 15125) granting a pension to Hattie L. McDaniel; to the Committee on Pensions.

Also, a bill (H. R. 15126) granting a pension to Thomas J. Orr; to the Committee on Pensions.

By Mr. WHITTINGTON: A bill (H. R. 15127) granting a pension to Mrs. Ethel B. Sutherland; to the Committee on Pensions.

Also, a bill (H. R. 15128) granting a pension to Edward Forte; to the Committee on Pensions.

By Mr. WOODRUFF: A bill (H. R. 15129) granting a pension to Ruth L. Retan; to the Committee on Pensions.

By Mr. KERR: Resolution (H. Res. 318) to pay Frances Slade, widow of Charles Slade, late an employee of the House, six months' compensation and \$250 to defray the funeral expenses of said Charles Slade; to the Committee on Accounts.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

7898. By Mr. CONNERY: Resolution of Massachusetts Teachers' Federation, requesting Congress to enact legislation assigning 15 per cent of all radio broadcasting channels to educational institutions and Government educational agencies; to the Committee on the Judiciary.

7899. By Mr. ENGLEBRIGHT: Resolution adopted by the board of supervisors of the city and county of San Francisco, to amend the Jones-White Act; to the Committee on the Merchant Marine and Fisheries.

7900. By Mr. EVANS of California: Petition signed by Jennie M. Knowles and approximately 150 others, in favor of the passage of House Joint Resolution No. 358; to the Committee on the Judiciary.

7901. By Mr. FENN: Resolutions of the Woman's Christian Temperance Union and missionary meeting of Congregational Church, of Wethersfield, Conn., favoring the Federal supervision of motion pictures; to the Committee on Education.

7902. Also, petition of citizens of Hartford and West Hartford, Conn., favoring the passage of House bill 7884, for the exemption of dogs from vivisection in the District of Columbia; to the Committee on the District of Columbia.

7903. By Mr. HOUSTON of Hawaii: Petition of the Chamber of Commerce of Honolulu, Hawaii, favoring the passage of House Resolution No. 11, reported by the House Committee on Interstate and Foreign Commerce on January 27, 1930; to the Committee on Interstate and Foreign Commerce.

7904. By Mr. McCORMACK of Massachusetts: Petition of American Federation of Labor, William Green, president, Washington, D. C., urging enactment of legislation providing for the manufacture of war munitions and naval vessels in arsenals and navy yards of the United States, so that the elimination of private profit will place this department of national defense beyond the baleful influence of those who seek to create sentiment for the production of war munitions so that they may make greater profits; to the Committee on Naval Affairs.

tions so that they may make greater profits; to the Committee on Naval Affairs.

7905. By Mr. O'CONNELL: Petition of the Association of the Bar of the City of New York, favoring certain legislation with reference to the units of the metric system; to the Committee on Coinage, Weights, and Measures.

7906. By Mr. O'CONNOR of New York: Resolution of the Association of the Bar of the City of New York, urging adoption of the units of the metric system as the sole legal standard of weights and measures throughout the United States; to the Committee on Coinage, Weights, and Measures.

7907. By Mr. HARCOURT J. PRATT: Memorial of Columbia County (N. Y.) Historical Society, advocating Government acquisition of the land in the town of New Windsor, Orange County, N. Y., which was the camp ground of the American Army in 1782 and 1783, for the establishment thereon of a national park, and the erection of a perpetual memorial to George Washington in the form of reproduction of the camp building known as the Temple of Virtue; to the Committee on the Public Lands.

7908. By Mr. ROBINSON: Petition of Cedar Falls, Iowa, branch of the American Association of University Women, signed by about 50 members in support of House bill 9986; to the Committee on Interstate and Foreign Commerce.

7909. By Mr. WHITTINGTON: Petition of board of supervisors of Bolivar County, Miss., for extension of emergency freight rates in drought area; to the Committee on Interstate Foreign Commerce.

7910. By Mr. WYANT: Resolution of members of Irwin Aerie, Fraternal Order of Eagles, Irwin, Pa., offering program of unemployment relief; to the Committee on the Judiciary.

7911. Also, petition of 500 members of the Wilkesburg Woman's Christian Temperance Union, requesting support of House bill 9986; to the Committee on Interstate and Foreign Commerce.

7912. Also, petition of Woman's Christian Temperance Union, of Greensburg, Pa., urging support of Hudson bill (H. R. 9986) and Brookhart bill (S. 1005), regulating production and distribution of moving-picture films; to the Committee on Interstate and Foreign Commerce.

SENATE

MONDAY, DECEMBER 15, 1930

The Chaplain, Rev. Z. Barney T. Phillips, D. D., offered the following prayer:

Almighty God, who hast created all things for Thyself, and through Thy Son, Jesus Christ, hast summoned us to share in Thy redemptive plan, lead us past the barriers of fear to the furnace of flaming purity where all falsehood, sin, and cowardice, like dross, are purged away. Give to our work qualities instinct with life, by which alone our actions bear the unforgeable impress of our personality and we retain our sense of the dignity of humble toil, the value of life's daily ministries.

Grant that we may look out upon the world with our own eyes—the eyes wherewith we saw the Christ and were made glad—till the common path becomes a shining trail whose end is God, where we walk in blest communion with our fellow men. So fit us for the day's most pressing needs, we dare not ask for less; and whatsoever else Thou knowest we should have, bestow it in Thy love. Through Jesus Christ our Lord. Amen.

THE JOURNAL

The Chief Clerk proceeded to read the Journal of the proceedings of Friday last, when, on request of Mr. Fess and by unanimous consent, the further reading was dispensed with and the Journal was approved.

SHORTER WORK WEEK FOR POSTAL EMPLOYEES

The PRESIDENT pro tempore laid before the Senate the bill (H. R. 6603) to provide a shorter work week for postal employees, and for other purposes, which was read twice by its title.